

CARNEY
BADLEY
SMITH &
SPELLMAN

James E. Lobsenz

RECEIVED

DEC 14 1999

DEPARTMENT OF HEALTH
INVESTIGATION SERVICE UNIT

LAW OFFICES
A PROFESSIONAL SERVICE CORPORATION

701 FIFTH AVENUE, SUITE 2200
SEATTLE, WA 98104-7091
FAX (206) 467-8215
TEL (206) 622-8020

Email: lobsenz@cameylaw.com

December 7, 1999

Mr. Jeffrey Yoshinaka
Investigator
Post Office Box 47872
Olympia, WA 98504-7872

Re: File No. 99-0200006PY

Dear Mr. Yoshinaka:

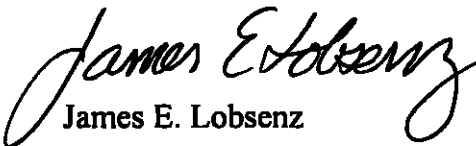
The following statement is being provided to you as Dr. Laura Brown's response to the complaint of 6 - Mental health informati...

Dr. Brown acknowledges that (1) she referred 6 - Mental health informati... to Dr. Arthur Peskind, (2) that she was aware at the time of the referral that Dr. Peskind had once had a prior disciplinary action involving the Department of Health.

However, with respect to Ms. 6 - Mental h... contention that there was something inappropriate about the referral, Dr. Brown disagrees. The referral was appropriate for several reasons. Dr. Brown's personal statement is enclosed with this letter.

Very truly yours,

CARNEY BADLEY SMITH & SPELLMAN, P.S.


James E. Lobsenz

Enclosure

Statement of Dr. Brown

I acknowledge that I referred Ms. [6 - Ment...] to Dr. Arthur Peskind in 1993. At that time I was aware that he had been disciplined by the Department of Health in 1989. In March of 1990 I was appointed by the Department of Health to serve as his disciplinary supervisor while he was on a stayed suspension, and I served in that capacity for a period of roughly two years. When the Board released Dr. Peskind from the requirement of practicing under supervision, he voluntarily chose to retain me to serve as his case consultant. I am still working with him in that capacity. So I have approximately a decade's worth of experience working with and reviewing his conduct. I believe that my referral of Ms. [6 - Mental...] to Dr. Peskind was entirely appropriate, given the following circumstances.

First, Ms. [6 - Mental...] had panic disorder, and Dr. Peskind specializes in the treatment of that disorder. To my knowledge he is the only person in the Tacoma area who specializes in panic disorder treatment. Ms. [6 - Ment...] lives in Tacoma and wanted a Tacoma provider. And her prior lawsuit was against a treatment provider for misdiagnosis and mistreatment of panic disorder.

Second, at the time of the referral Dr. Peskind's suspension had been ended and his license had been fully restored to him. Thus he was a psychologist in good standing at the time of the referral.

Third, Ms. [6 - Ment...] had a primary therapist, a psychologist, from whom she was receiving treatment at the time of the referral, and although that the primary therapist knew of Dr. Peskind's prior disciplinary action, the therapist voiced no objection to my referral. After treatment with Dr. Peskind began, Ms. [6 - Mental h...] primary therapist commented to me that she thought that there was a good treatment team in place for Ms. [6 - Ment...], which included Dr. Peskind as the treatment provider concentrating on panic disorder.

Fourth, while serving as Dr. Peskind's supervisor, and in that capacity I reviewed hours and hours of tapes of his therapy sessions. In those therapy sessions Dr. Peskind always acted appropriately, and the sessions I reviewed included people who, like Ms. [6 - Menta...] had a history of childhood sexual abuse.

When Ms. [6 - Men...] called me in January of 1999 to tell me that Dr. Peskind had made some kind of verbally inappropriate remarks to her, I offered to intercede and to attempt to mediate between her and Dr. Peskind in an attempt to seek a resolution that would be satisfactory to her. She refused my offer of assistance and she became extremely angry and threatening towards me. She told me that Dr. Peskind should be afraid of her.

I later learned from Dr. Peskind that Ms. [6 - Menta...] suggested that he should pay her some money, and that he also told me that she had told him he should be scared of her.

Ms. ^{6 - Ment...} was referred by me to Dr. Peskind in 1993, and apparently continued in therapy with him for roughly six years. With one exception she apparently had no complaints about Dr. Peskind during this time frame. (Once she did complaint to me that he referred to her as "fat.") It was only when she learned that Dr. Peskind had previously been sanctioned by the Department of Health in 1989, that she developed complaints about Dr. Peskind's behavior.

I have no personal knowledge of what Dr. Peskind said to Ms. ^{6 - Men...} during his therapy sessions with her. It is my belief that Ms. ^{6 - Mental ...} complaint against me is not well taken. Instead, I believe her complaint against me is the irrational product of (1) her anger at having discovered that I referred her to a therapist who once had been disciplined by the Department; and (2) my unwillingness to assist her efforts to punish Dr. Peskind.

If the restoration of full licensing privileges is to mean anything at all, then surely it must mean that patients can be referred to that treatment provider. While Ms. ^{6 - Me...} may wish that she had been referred to a treatment provider who had no disciplinary record whatsoever, in my opinion the fact that I referred her to someone with a rather old disciplinary action on his record is not unprofessional conduct.

Dated this 7th day of December, 1999.



Laura S. Brown, Ph.D.

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SPELLMAN

James E. Lobsenz

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JAN 13 2000

DEPARTMENT OF HEALTH
INVESTIGATION SERVICE UNIT

LAW OFFICES
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701 FIFTH AVENUE, SUITE 2200
SEATTLE, WA 98104-7091
FAX (206) 467-8215
TEL (206) 622-8020

Email: lobsenz@carneylaw.com

January 12, 2000

Mr. Jeff Yoshinaka
Investigator
Department of Health
Investigations Service Unit
Post Office Box 47874
Olympia, WA 98504-7874

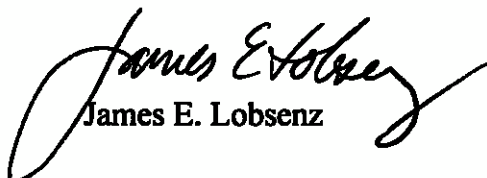
Re: Interview of Dr. Laura Brown

Dear Mr. Yoshinaka:

Dr. Brown is available for the interview that you requested on February 3rd at 2 p.m. You may interview her in my office. If you need directions to my building please call. Thank you.

Very truly yours,

CARNEY BADLEY SMITH & SPELLMAN, P.S.


James E. Lobsenz

CARNEY
BADLEY
SMITH &
SPELLMAN

James E. Lobsenz

RECEIVED
DEC 02 1999
DEPARTMENT OF HEALTH
INVESTIGATION SERVICE UNIT

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SEATTLE, WA 98104-7091
FAX (206) 467-8215
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Email: lobsenz@carneylaw.com

November 29, 1999

Mr. Jeffrey Yoshinaka
Investigator
Post Office Box 47872
Olympia, WA 98504-7872

Re: File No. 99-02-0006PY

Dear Mr. Yoshinaka:

Under cover of this letter I am providing you with a notice of appearance as you requested in your letter to Dr. Laura Brown.

I was out of the country for several weeks, and when I returned Dr. Brown was out of state for a period of time. We have not had time to confer. I would like to request an extension to December 17th before submitting a response to your inquiry. Thank you for your assistance.

Very truly yours,

CARNEY BADLEY SMITH & SPELLMAN, P.S.


James E. Lobsenz

Enclosure: Notice of Appearance

1
2
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4
5
6 THE DEPARTMENT OF HEALTH,
7 STATE OF WASHINGTON

8 In re The Matter of Laura Brown,

9 Respondent,

NO. 99-02-0006PY

10 NOTICE OF APPEARANCE
11
12

13 TO: The Department of Health

14 Please take notice that, JAMES E. LOBSENZ, of Carney, Badley, Smith & Spellman,
15 P.S., hereby appears as counsel of record for respondent Brown. Copies of all future
16 correspondence, notices and pleadings should be directed to undersigned counsel.
17

18 DATED this 29th day of November, 1999.

19 CARNEY BADLEY SMITH & SPELLMAN, P.S.
20

21 By 
22 James E. Lobsenz, WSBA No. 8787
23 Attorney for Respondent
24
25

NOTICE OF APPEARANCE - 1

CARNEY
BADLEY
SMITH &
SPELLMAN

LAW OFFICES
A PROFESSIONAL SERVICE CORPORATION
2200 BANK OF AMERICA TOWER
701 FIFTH AVENUE
SEATTLE, WA 98104-7091
FAX (206) 467-8215
TEL (206) 622-8020

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telnet (WA-RS6000-1)

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EXAMINING BOARD OF PSYCH ASSESSMENT SYSTEMS, INC. 02-25-99
ses3303 REAL SYSTEM V2.5.18 11:34:16 AM

CASE NUMBER	COMPLAINANT	COMPLAINT DATE	INVESTIGATOR	TYPE	STATUS
88020179	7 - Name - Whistleblower Regarding Health Care Provider or Hea...	02-18-1988	JIM JACKSON	25	CLOSED
88060175		06-14-1988		25	CLOSED
90110040		11-07-1990		25	CLOSED
98010002	6 - Mental health information, Adults - Infor...	01-05-1998		20	CNA3
98100004		10-20-1998		34	FDINVT
99020006		02-25-1999		34	ASSESS

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EXAMINING BOARD OF PSYCH ASSESSMENT SYSTEMS, INC. 02-25-99
 ses3303 REAL SYSTEM V2.5.18 11:34:28 AM
 INDIVIDUAL NAME (JR,SR,III) REFERENCE # PY00000615
 LAST BROWN SOC SEC NUM - -
 FIRST LAURA
 MIDDLE S

RESIDENCE INFORMATION
 4527 1ST AVE NE
 SEATTLE WA 98105

PHONE: () - COUNTY: 17
 () - LGL ST:

NOTES
 AUDITED IN 1991, 1994, 1997

+--ADDITIONAL INFORMATION-----+
 SEX F = MARRIED =
 OTHER NAME
 CORP. OFFICER =
 TRUST ACCOUNT
 BIRTH PLACE
 DATE 12-24-1952
 SCHOOL CODE
 CE UNITS 0.00 REQD BY 12-24-2000
 +-----+

+-----+
 CURRENT STATUS: ALE EXPIRATION DATE: 12-24-1999 FIRST ISSUE DATE: 01-09-1979
 RENEWAL STATUS: Z LAST ACTIVE DATE: - - LAST RENEWAL DATE: 11-12-1998
 COMPLAINTS O/C: 1/ 3 AUTHORITY:
 +-----+

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STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

October 8, 1999

Laura S. Brown, PhD
4527 1st Avenue NE
Seattle, Washington 98105

CONFIDENTIAL
CERTIFIED MAIL

Reference File # : 99-02-0006PY

Subject: **LETTER OF COOPERATION, UNIFORM DISCIPLINARY ACT**

Dear Dr. Brown,

The Board of Psychology of the Department of Health has received a complaint filed against you by 6 - Mental health inform... Ms. 6 - Ment... alleges you inappropriately referred her to Dr. Arthur W. Peskind. Ms. 6 - Men... stated that you were his supervisor, and fully aware of his previous disciplinary action by the department. Ms. 6 - Ment... stated you were fully aware of her history and treatment needs, and referred her to Dr. Peskind despite his background. She also stated that Dr. Peskind was unprofessional and inappropriate.

Under provision of RCW 18.130.050 (2), the Board of Psychology is empowered to investigate complaints of unprofessional conduct, malpractice or unsafe conditions and to determine if these complaints are substantiated or unsubstantiated. The Board is also empowered to initiate further action if appropriate.

Under provision of RCW 18.130.180 (8), it is the duty and obligation of a licensed health care provider against whom a complaint is made, and who is being investigated by the department, to cooperate with the department in its investigation.

Under RCW 70.02.050 section (2)(a), a health care provider shall disclose health care information without the patient's authorization when needed to determine compliance with state or federal licensure, certification or registration rules or laws; or when needed to protect the public health.

Under these authorities you are required to provide to the Board your written explanation to the allegations contained in the complaint. Please provide the information requested within **fourteen days** after your receipt of this letter.

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Laura S. Brown
99-02-0006PY
page 2

Please be advised that no formal charges have been issued against you. No determination of whether or not any further action is warranted in this matter will be made until after the initial investigation has been completed.

You are free to consult with and engage an attorney at your expense to represent you in this matter prior to making your response. Your response(s) may be used if disciplinary action is deemed necessary. If you wish to have an attorney represent you please have the attorney file a Notice of Appearance at the address below. I am enclosing a "Licensee/Respondent Notification" for you to review. Please sign, date, and return this document to acknowledge you understand your rights.

If you have any questions or comments, please contact me at (360) 236-4654, by FAX at (360) 586-0123 or by writing to the address listed below.. If you need additional time please contact our office. Thank you for your anticipated cooperation.

If you have any questions concerning this matter please feel free to contact me at the telephone number listed below.

Sincerely,

Jeffrey Yoshinaka, Investigator
Investigation Service Unit
Post Office Box 47872
Olympia, WA 98504-7872
(360) 236-4654
(360) 586-0123-FAX

Enclosure: Complaint
Licensee/Respondent Notification

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STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

LICENSEE/RESPONDENT NOTIFICATION FORM
HEALTH PROFESSIONS QUALITY ASSURANCE DIVISION
DEPARTMENT OF HEALTH
STATE OF WASHINGTON

(A) Nature of Complaint: RCW 18.130.180 (4):

1. Incompetence, negligence, or malpractice

- (B) You may consult with Legal Counsel at your expense prior to making a written statement.
- (C) Any written statement that you provide may be used if Disciplinary Action is deemed necessary.

Receipt Acknowledged: _____

Laura S. Brown
99-02-0006PY

Date: _____

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STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

March 15, 1999

Laura S. Brown, Ph.D.
4527 1st Avenue NE
Seattle, WA 98105

RE: 99-02-0006PY

Dear Dr. Brown:

The purpose of this letter is to inform you that the Board of Psychology of the Department of Health has received a complaint alleging unprofessional conduct, as defined in RCW 18.130.180. The complaint alleges incompetence, negligence, or malpractice. This notice is being made in compliance with RCW 18.130.095.


RCW 18.130.050...THE UNIFORM DISCIPLINARY ACT... provides that the Board of Psychology of the Department of Health has the legislated authority to investigate complaints against health care providers. The complaint received against you has been reviewed and it has been determined that the allegations at issue fall within the jurisdiction of the Board of Psychology of the Department of Health. An inquiry will be conducted to gather the facts in this matter.

Pursuant to the Whistleblower Law, RCW 43.70.075, we are unable to give you the name of the complainant at this time, or provide information which would identify the complainant. You will be contacted as soon as practical during the investigation and this issue will be discussed as fully as possible, as allowed by law, so that you can adequately respond to the allegation (s). Your case is being assigned to the following investigator:

Jeffrey O. Yoshinaka, Health Care Investigator
Investigation Service Unit
P.O. Box 47874
Olympia, WA 98504-7874
Phone: (360) 236-4654 FAX: (360) 586-0123

You may submit a written statement concerning the complaint at any time, to the investigator listed above. However, you may choose to wait until you are contacted by the investigator and the complaint has been discussed with you. This contact will be made after a confidentiality release has been received from the Complainant, if one is required. Any statements submitted will be placed in the complaint file. Thank you for your anticipated cooperation.

Respectfully,


Roxanne Bogart
Administrative Assistant

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- ☒ Respondent Notification Letter
☐ Nursing Assistant Notification Letter
☐ Malpractice Settlement Letter

- ☒ Complaint Notification Letter
☒ Whistleblower

Date received: 11-3-98
Date assigned: 11-3-98
Investigator: Reed
Priority: 3

Comments: _____

COMPLAINT FORM

Department of Health
Health Professions Quality Assurance Division
Examining Board of Psychology
Post Office Box 47869
Olympia, WA 98504-7869
(360) 753-2147

OCT 19 1998
HEALTH PROFESSIONS SECTION TWO

Your Name: 7 - Name - Whistleblower Regarding Health Care Provider or Health Care Facility - RC...
Address: _____
City: 7 - Name - Whistleblower Regarding Health... State: 7 - Name - ... Zip: 7 - Name - Whistlebl...
Phone: 7 - Name - Whistleblower Regarding Health Car... SAME
(daytime) (evening)

COMPLAINT INFORMATION

Please complete the following information concerning the individual(s) against whom you wish to register this complaint. This will help to avoid delay in processing your complaint. Please supply as much information as you can at this time. Thank you.

First and last name of person(s) your complaint is against:

LAURA BROWN, Ph.D.
Address: 4527 1st AVE NE
City: SEATTLE State: WA Zip: 98105
Phone: 206 - 633-2405

Date(s) or time period of treatment or service.

JULY, 1989 - JUNE, 1998

Have you discussed this complaint with the psychologist? YES ☐ NO ☒ If so, with what response?

If not, why? I TRIED FOR FIVE MONTHS TO EFFECT A RECONCILIATION. SHE WAS/IS
CLEARLY IMPAIRED. I WAS AFRAID THAT IF I WARNED HER THAT
I WAS FILING A COMPLAINT AGAINST HER, SHE WOULD ALTER MY CHART.

000001

NOTICE: Please be aware that this written complaint may be released to the respondent(s) and may be used in a disciplinary hearing if such a hearing is conducted.

1. The first part of the document is a title page. It contains the title "The History of the United States" and the author "John Adams".

2. The second part of the document is a preface. It contains the text "I have the honor to acknowledge the receipt of your letter of the 10th inst. and in reply to inform you that the same has been forwarded to the proper authorities for their consideration."

3. The third part of the document is the main body of the text. It contains the text "The United States of America, in the year of our Lord one thousand seven hundred and eighty-three, did hereby declare its independence of Great Britain."

4. The fourth part of the document is a conclusion. It contains the text "In witness whereof, I have hereunto set my hand and the seal of the United States, at the City of New York, this 4th day of July, 1776."

Date

October 16, 1998

BACKGROUND:

Laura Brown, Ph.D. has been my therapist for nine years. When I first saw her in July of 1989, I was in a very severe suicidal depression, the result of a major crisis in which I lost my job, my career as a physician, my farm, my income and many of my friends.

I saw Laura regularly for therapy, over the years. One of our main therapeutic issues that we worked on was my fear of bonding and trusting and my fear of abandonment. We worked on this and on other very difficult things and she seemed extremely consistent and constant. She became the person I trusted most in the world, next to my partner. I had enormous respect for her work in ethics and feminist psychology. I placed her securely on a pedestal and maintained her there, without question or doubt. She was Laura the Great, who could do no wrong. I had utter trust in her integrity, her morality, her ethics, her judgment, her honesty and her caring for me.

BEGINNING OF THE CURRENT PROBLEM:

Everything started to change in the spring of 1997. Laura had a consultation client with whom she had also developed a close friendship and a colleague relationship; a psychologist named L. Laura was trying to persuade L. to move to Port Townsend, which is where I live. She asked my permission to allow L. to be in touch with me, so that I could tell her about Port Townsend. She encouraged me to make acquaintance with L., telling me a lot about her and how neat she was as a person, how much we had in common and so forth.

I agreed to all this and soon L. and I were maintaining an email correspondence that evolved into a friendship. Within a few months, L. and her family did in fact move to Port Townsend at Laura's suggestion, and our friendship deepened.

My relationship with Laura continued unchanged from my point of view through the summer and fall of 1997. My relationship with L. became painful for awhile because I was trying to force her to play a role in my life (mother) that she was not prepared to do. I want to be very clear that L. was not playing a therapist role with me, nor did I want her to. I'm simply talking about the amount of emotional availability and nurturing that I wanted from her as a friend. I complained to Laura a lot about L.. I was aware that Laura talked about me with L. in an ongoing fashion. She also talked to me about L. a great deal. L. had a lot of fear and anxiety about being pulled into my therapy and did not push for being involved at all. In fact, she asked several times to be left out.

But almost immediately, Laura put me in the middle between herself and L.

Thus, a triangle was established, and the boundaries began breaking down. From my reading of *The Law Relating to Psychologists, 18.83 RCW*, it was Laura's responsibility to see that this did not happen.

MORE SERIOUS PROBLEMS DEVELOP:

In December of 1997, I began to decompensate, and by January and early February of 1998, I was again in a very severe suicidal depression, as when I first saw Laura.

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Laura was available by phone. I finally started taking Serzone and stopped being depressed and began to feel saner than I had ever felt in my life. I began to see things with greater clarity, and many behaviors that I had assumed were just part of my personality disappeared.

As soon as I was well and sane, things began to go to pieces with Laura. By this time there was a very destructive triangle with no boundaries and the person who was getting most damaged by this was L.. Laura's perceptions of L. and L.'s intentions became distorted and inaccurate; Laura became hostile and erratic and cruel and then vacillated between admitting her very bad behavior and being very remorseful and then once again resuming the bad behavior. I never knew who she was going to be. Every time she became remorseful and expressed good intentions for reforming, she would quickly flip back into being this utterly malicious person who was a complete stranger to me. She strung me along in this way, for months. It was my utter belief in her goodness and the sincerity of her "sane" times that kept me hanging in there with her, trying to help her change and heal. I really believed that she would do it.

It became obvious to me, being around L., that Laura was in increasingly great distress and I knew that this was about Laura's rejection and hostility toward her, even though L. shared very little about the crisis she was in or about Laura personally.

Once I began to see what Laura was doing to L., I confronted her with it and told her that I could not in good conscience continue to do therapy with her *until* she stopped behaving so badly toward L. Aside from my own ethical concerns about participating in this triangle that Laura had set up, it was clear that Laura was so consumed with her negative feelings toward L. that she had totally dropped out of a therapy role with me.

I asked her to repair her relationship with L., and then work with L. and me to resolve the triangle. She agreed to all this. She promised to heal her relationship with L. and then to meet with the two of us to work on healing the triangle. She admitted that she was behaving very badly toward L.. She said repeatedly that she did not want for me to lose her as a therapist because of her bad behavior, and that she did not want to lose me as a client.

From February to June of 1998, I continued appealing to Laura to stop her erratic and destructive behavior and she kept promising to do this. I truly believed that she would address her destructive behavior and keep her promises. And since I was so devoted to her and felt such a debt to her, and since she was telling me that she needed me to hang in there with her, I did, but in a changed role.

In spite of the extreme firmness, clarity and repetitiveness of my position about not seeing Laura in formal sessions (she was too disturbed and distracted to stay in her role anyway), she persisted in disrespecting this boundary. On at least 4-5 occasions, she tried to insist that I ignore her bizarre and hurtful behavior and return to my former position as seeing her as perfect. Each time I had to remind her firmly (and with very painful repercussions for myself) that I would not participate in this, and each time I asked her why she was refusing to respect my boundary about this.

By that time, she was basically crazy. She had become very irrational and angry toward L., for no apparent reason. She would alternate between being very cruel and cold and hateful toward L., and being very apologetic and ashamed of herself. She kept owning that she was behaving very badly, that it was her stuff, her shadow side running wild and out of control. And then she would become mean and cruel again, and do terrible things, such as becoming very cutting, rejecting and hostile toward L. It was as if only Laura's reality and Laura's needs mattered.

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I knew, from my friendship with L. and from Laura's discussion of her with me, that L. had very severe PTSD related to previous therapy abuse. Laura, having served as her consultant during her problems with that therapist, was very well-acquainted with L.'s PTSD and knew exactly how to trigger it. She did this repeatedly, seemingly maliciously and with deliberate intent and cruelty.

It was extremely painful and traumatic for me to witness my Laura behaving so very badly toward my best friend. It was extremely painful for me to see her violate everything she had always pretended to stand for. It shook me to my core. It made me begin to question my entire nine-year relationship with Laura, since she seemed to have turned into someone who was the polar opposite of the person I thought I had known.

ROLE REVERSAL AND CONTINUED DETERIORATION:

I met with Laura outside of therapy on several occasions and we did a role reversal in which I became her "therapist" or emotional caretaker. She not only allowed this to happen, she encouraged it. We made a mutual decision to just forget about boundaries and allow me to try to help her with her problems so that she could get them straightened out and resume her role as therapist with me. She seemed to want her problems, which were vast, to occupy center stage. She wanted the only focus to be on her own personal struggles. She was unpredictable, erratic in her moods and thinking, crying and falling apart. I felt that I had no choice but to move into the role of her emotional caretaker, since she was getting nowhere on her own and I was desperate to have my old Laura back.

She welcomed this but at the same time she discounted my perceptions and efforts to help, as if only her opinions could be accurate. I saw her distorting or exaggerating the facts about things I had observed directly and even lying on occasion. Laura later accused L. of "breaking the boundaries" in sharing information about her with me. Most of what I knew came from Laura herself. L. shared very little personal information about Laura with me. This is typical of how Laura reversed facts to blame L. for all that happened.

During my years of therapy with her, Laura stayed in the role of Hero-Rescuer so there was no occasion for me to stand up to her or confront her with her own wrong-doing. For the first time, I was doing this, with a lot of compassion and love and clarity. She responded by treating me as if I had betrayed her because I simply was saying that she was human and imperfect and hurtful. It would have been fine with me for her to be human and imperfect, and it could have been a valuable lesson for me if she had followed through with changing and overcoming her bad behavior.

Beginning in February, she said that she would find a therapist, then said that she was in therapy, and then said that she'd been unable to find a therapist. Finally, after four months, she did apparently begin to see someone for therapy. Her former assertion about this had been a lie.

I had great compassion for Laura. She was saying over and over that she "needed us," the "us" being L. and me. She talked to me about her depression, her illness, her problems in her relationship with her lover, Miriam, about how much pain she was in, about how her life was falling apart.

She cried and sobbed at times and I comforted her. I held her hands. At one point I reached out to touch her knee, as a comforting gesture, and she pulled away and told me that being physically comforted always made things worse for her. I tried to be supportive and to help her problem-solve. We talked very frankly about her life and about her feelings toward L.. She insisted repeatedly that she loved L. and was determined to maintain her friendship with her, yet she did things which would hurt anybody, much less someone who had been in a client role with her. She told me repeatedly that I was the most ethical and moral person that she knew. She said that she could never be like me, that she didn't know how to feel things, that she lacked my courage and strength. I continued to try to convince her that she was

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strong and courageous and ethical, thinking that the things I saw were temporary. I was beginning to have doubts, though.

We continued to have long email discussions, in which I would confront her with what she was doing, and also comfort her and support her. This became increasingly difficult for me, because I was missing her terribly in her role as my therapist, and because it was very painful to be a part of this very destructive triangle. She did not stop her harmful, cruel treatment of L. She began to do a lot of the same emotional battering to me, though never to the same degree or with the same anger that she did to L. She changed the facts, ignored my pleas for help, discounted everything I said, refused to accept feedback of any kind from me, though she had placed me in a position where I had to offer it.

Also, her continued mood swings were very hard on me. One minute I would be filled with hope, convinced that my beloved Laura was finally *getting* it and that it wouldn't be long until things were back to normal. And the next minute, she would commit some terrible act of hostility and cruelty toward L. and my hopes would disintegrate.

She was consistent in absolutely refusing to validate my perceptions and thoughts. She could not hear me clearly, she misunderstood what I was saying and then turned it around, defending her destructive behavior. This made me feel as if I were a worthless nonentity, invisible to the one who meant so much to me. The very one who had spent so many years trying to help me come to trust my own perceptions was now telling me over and over that my perceptions were wrong and without value.

Not only did she not validate me, but I became alarmed about her increasing tendency to distort the facts about what happened between she and me, or she and L.. I became alarmed at her increasing level of hostility toward L.. She completely lost her perspective on me, L., and on the events that were happening. She went to great lengths to turn incontrovertible facts (such as things I witnessed personally to happen between L. and her when the three of us were together) into things that had not happened. She was rigidly bound and determined to find ways to make L. at fault for everything that was happening among all three of us. She became more and more paranoid and crazy in this perception. She demonized L.

This hurt me deeply, not only because it terrified me to witness the deterioration of the therapist that I relied on and not only because she became so irrational, emotionally out of control and hostile toward my best friend, but also because she was *wrong*. L., like me, was pouring her own caring and support into Laura, in spite of the fact that she was being increasingly tormented by Laura's blame and hostility.

Toward the end, Laura accused me of being "merged" with L. whenever I didn't agree with her or protested her demonization of L. I felt like she was trying to pathologize me and my perceptions in order to invalidate and discredit me. It felt very bad. This seemed like a perverted use of her clinical knowledge and power. It affected me deeply. For the first time I had clarity and was seeing things differently from Laura, and it was like she had to really hammer me for it, to invalidate me completely and utterly. I felt like a bug she had stepped on.

I am certain that Laura will try to assert that I am merged with L. and influenced by her, as part of her defense. Therefore I feel compelled to state that my filing this complaint was my idea solely. Preparing it has been profoundly painful and it has taken a long while. But this is my complaint, ultimately my thoughts and my words.

000005

BROKEN PROMISES AND DECEPTION:

Eventually, just before she left for her trip to Europe in May, things came to a head. She traveled to Port Townsend at the end of April to meet with L. saying she was going to make amends with her. By this time, L. was very traumatized by Laura's erratic and cruel behavior. I was, by Laura's initiation and because of my own concern about my friend, involved in things between the two of them. After they had talked for awhile, I went to join them.

My experience of Laura that day was that she was genuinely contrite, genuinely concerned about L. and the damage she'd done to her, genuinely determined to change her behavior, genuinely committed to sustaining her relationship with her. Finally, after four months of hostile, cruel and malicious behavior, *finally* she seemed to be turning it around. She sat on L.'s bed while L. was sobbing, and said to L., "I love you and I need you in my life." I was sitting on the bed as well.

Three weeks later, when she returned from Europe, neither of us heard from her for about a week. Since this was contrary to what she had promised, I finally wrote her in email and asked if she were home and what was going on. She wrote back and told me in detail that she had decided to terminate her relationship with L., but hadn't told her. She knew that, upon learning this, I would tell her, and I did. She used me, her client, to do a wrong and hurtful deed that she couldn't do herself. She left me to absorb the impact of L.'s reaction to that.

She explained her reason for ending her relationship with L. in a long discourse about a religious "conversion" experience, in which she became convinced that she had to rid herself of L. in order to save herself. In the context of her sincere and heartfelt contrition and firmly stated determination to make amends during our last meeting together before she went to Europe; in the context of all that she had promised, this seemed absolutely crazy, like she had gone off the deep end.

Everything got much worse, this time with finality. She admitted that she had breached L.'s confidentiality (L. had been a consultation client and her confidentiality should have been protected) by telling her lover, Miriam, all about the troubles she'd been having with L.. Since it would have been impossible to tell Miriam about all these troubles without mentioning me, I'm absolutely certain that she violated my confidentiality also, though she denied it.

By this time, I'd seen Laura deny a lot of things that she had done. It seemed as if she simply did whatever she wanted, without regard for how much it hurt me or L.. She showed very little remorse or apology even when she knew that she'd done something wrong. She just didn't seem to care. She seemed to think that she was above the rules that applied to everyone else, in particular the ethical rules that she herself had espoused so publically and emphatically.

In an email dated 6/24/98, she responded to a comment of mine that it impacted me when she harmed L. by saying, "...I feel angry that it doesn't similarly impact you that maybe my relating to her has hurt me." She seemed to be jealous and resentful about my continued friendship with L. and that shocked me. In that same email, she stated that "It is true that a big part of my core got burnt and destroyed." And, "Something did break/burn and it's not had the chance to grow back." I had been increasingly concerned about her obvious impairment, but these statements alarmed me both because of Laura's deterioration and her paranoia and confusion about L. and things that had happened.

Also at that time, she started demanding that I not speak of L. to her anymore. Meanwhile, she herself had increased the pressure on me to abandon L., telling me negative things about L. that dated back three years in their consultation relationship, again violating L.'s confidentiality. She had set me up to have L. as my close friend, and then was trying to drive me away from her. This was terribly painful. Nowhere did she take any responsibility for any part of this.

000006

And it was ludicrous to imagine that I could be in a therapy relationship with her again without ever mentioning L. She had committed atrocious acts toward L. and was now demanding that I pretend that she hadn't, and resume therapy with her in our old roles in which she was the Hero and I was passive. It was insane.

After several email exchanges in this vein, she refused to answer my latest note. The next day I sent her a brief note telling her that I was hurting a lot and that I was very anxious about the last letter I had sent. That was on 6/28/98. I still haven't heard back from her.

She never terminated me. She never tried to help me find another therapist. She never gave me a place for the pain of all this.

She just plain abandoned me.

MEDICARE FRAUD:

This is another area in which Laura violated my trust profoundly.

When I first went on Medicare in 1992 (due to disability), Laura suggested that in order to keep me from having to pay her a copayment, she could just double-bill Medicare, charging for twice as many visits as I actually made. I was very uncomfortable with this, in part because I knew that it was fraudulent and I was frightened that Laura was putting herself at great risk in my behalf. She assured me repeatedly (I was so worried that I brought it up repeatedly over the years) that she could never be caught because Medicare just pooled all her billings and sent her a single check. This was a lie that she repeated persistently. She also would say that the only person who could turn her in was me. This put a great burden of guilt and anxiety on me, because I felt like her future was in my hands, and if I slipped up and told someone, she could get in a great deal of trouble. I felt like I had to keep her secret.

I don't excuse my participation in this, but she was very insistent.

She also billed Medicare for amounts that were well in excess of her actual charges. She also refused to bill my Medigap policy, which would have paid the co-payment for at least part of the year. I never could understand why.

When I recently called the Medicare Fraud hotline, I was told that she was actually making a good deal more money by double-billing than she would have if I (or my Medigap policy) had paid the co-payment.

The hotline person also pointed out to me the one thing that I had not permitted myself to see: that if Laura had really been concerned about my financial difficulties, she would have just not required me to pay the copayment.

ETHICAL VIOLATIONS:

I have read the pertinent parts of *The Law Relating to Psychologists, 18.83 RCW*. I also consulted with a psychologist via the Ethics Hotline. He said that while he could not evaluate the situation while hearing only one side, it was clear that if what I described was true, there were some issues of "great ethical concern" and he encouraged me very strongly and repeatedly to file a complaint against my therapist.

According to him, the ethical violations would include:

1. Abandonment

000007

2. Multiple relationships -- i.e., the triangle
3. Role reversal
4. Fraud
5. Possibly the violation of confidentiality

Another consultant on the Ethics hotline concurred with the above and added:

6. Continuing a relationship with me while suffering from impaired objectivity due to a mental or emotional condition.

It is possible that other ethical violations were committed also. These are the ones that I'm aware of.

I have included copies of some of my email correspondence with Laura that illustrate some of the points made in this complaint.

HARM DONE TO ME:

One of my biggest struggles in therapy was learning how to feel. Now I am confronted with the fact that my beloved therapist, whom I trusted implicitly, has revealed to me repeatedly, in email and in person, that she herself does not know how to feel and is not able to feel. How can someone who is unable to feel, and knows it, presume to teach someone else how to do it?

She faked it. And I am left with the horrifying knowledge that I have been taught about feeling by someone who has no knowledge of it. It is as if, after many years, the therapist behind the curtain was revealed to be a computer, crudely programmed. Therefore I can't trust what I learned. This is devastating.

Also, since Laura has proven to be so dishonest, I cannot trust any of the insights I had during therapy with her, or any of the things I learned. Everything is uncertain; in doubt.

Laura betrayed me on the most profound level possible. She took advantage of my heartfelt trust and loyalty and respect and used me and then abandoned me. She used me in her self-imposed battle with L. She used me for emotional support and sympathy and compassion, promising me many things that she apparently had no intention of delivering.

I tried to convey my level of devastation to her in email, saying things such as:

"I feel utterly betrayed."

"WHERE IS MY BELOVED LAURA? I can't find you anymore. You're gone."

"I feel like you lied to me as much as you did to L."

"Do you know what it feels like to watch my therapist destroy someone I love?"

"Do you have any idea how horrendously painful it has been to play this role in this goddamned triangle?"

"It makes me want to throw my head back and wail."

000003

"You are causing me terrible, unspeakable pain. I feel like you've betrayed me on levels that I'm only beginning to see. I can't imagine how I'll deal with them"

"I never dreamed that you would be capable of doing anything like this. I'm stunned. I feel like a deer blinded in headlights. I feel gutshot."

"It's tearing my heart out..."

"...I feel like the whole nine years of therapy I did with you, I was doing it with a hologram."

"This stuff that you're doing now makes me feel like my beloved Laura wasn't real and that she's been replaced by this person who feels crazy to me. I feel like all that we went through together, all the insights I had, all the things I learned from you...the totality of my experience with you...all of that I will lose if we can't find a different solution. If we stop now, I won't just be losing the future; I will also be losing the past. And that will be disastrous for me."

All of the above were direct quotes from our email correspondence. Laura was never accountable or responsive to any of these pleas. She ignored me.

My experiences with Laura have been so devastating to me that I have had a re-emergence of all the problems I came to her with, and now I have no therapist to help me deal with them. I have had increasing anxiety. I have been having recurring images of some of the traumatic events with Laura during the last few months and I can't stop them. I have a great deal of despair over what happened. I am very ill physically, and these events have produced a flare of my disease that is so severe that I am now having to have respite care for my partner and volunteers to come in and help with shopping and cooking. And I am having to deal with this increased disability while having my self-esteem diminished to the point where I question whether I should even bother to try to take care of myself.

I have increased my Serzone to a high dose, and am still extremely depressed. I am having suicidal ideation from time to time.

Even thinking about trying to trust another therapist produces a state of absolute terror. Still, I have scoured the area looking for an appropriate therapist who would accept Medicare, and have been unable to find one. The terror is hard to overcome. If trust can be violated so profoundly after nine years, how many years would it take before I could relax with a therapist and enter her office without the constant fear that it was all going to be ripped away, without warning?

Watching my friend, who had many more roles with Laura than I did, suffer in the way that she is suffering also rips me up. I tried so hard to stop Laura's destructive rampage, and I couldn't, and my friend's life has been essentially shattered as a result.

I'm very isolated here in Port Townsend, both by distance and disability. I am mostly housebound. I am left alone to deal with all this the best I can, without help or support.

Another way that Laura harmed me is the fact that she used me as a case study in her book, *Subversive Dialogues*, and told me that she was planning on using my case in an expanded version in a newer book. She used me as a "success story," illustrating her skill as a therapist, among other things. I clearly am not a success story and I feel exploited by this. Thousands of people have read about my case and now I have to live the rest of my life with this exposure, knowing that it is not the truth.

000003

In summary, I've lost a great deal and have suffered severe and enduring damage and harm. This is her legacy to me.

CORROBORATION: I have the entire body of my email correspondence with Laura and I would be happy to share it with the Board if it would be helpful. I also have witnesses willing to testify before the Board.

CONCLUSION:

It is my strongly held opinion that Dr. Laura Brown is *severely* impaired and that she has committed egregious ethical and moral violations against me.

7 - Name - Whistleblower... M.D.

000010

To: "Laura S. Brown" <lsbrown@comp...ve.com>
 From: 7 - Name - Whistleblower Regarding ... (Phoenix & 7 - Name...
 Subject: Re: Uh.....about today
 Cc:
 Bcc:
 X-Attachments:

Brace yourself. I'm going to speak real bluntly and from my heart here. I figure at this point there's nothing to lose.

>I am horrified that you feel that you have to sacrifice care for yourself
 >because 6 - Mental h... and I are in this struggle.

I'm glad you're feeling horrified but I feel it's for the wrong reason. I'm not sacrificing care for myself because of the shit between you and 6 - Mental ... and ME. I'm in the big middle of this triangle, as we all are, and it's about all of us, not just you and 6 - Mental h... Yes, being in this position sucks and I hate it. And I'm very perturbed, but I'm done with sacrificing myself the way I used to. I'm doing this for ME. I'm doing this because *I* need for things to work out so that I don't have to lose either one of you.

I'm taking good care of myself. I'm taking my meds, I'm eating well, I'm being careful to get enough sleep, I'm making sure that I get to play with Phoenix. I'm fine in every way except for the fact that I'm right back where I started the session with you yesterday: I'm deeply afraid that you, me and 6 - Menta... are on the verge of all losing each other.

And that scares the shit out of me.

Hear me: I am NOT ready to terminate my therapy with you. I don't feel like I'd be ready for at least a couple of years yet. There's a ton of stuff I still need to work through with you, and I can't start over with anyone else. It's you or no one. Losing you would be utterly catastrophic for me. I NEED YOU. And on a personal level, losing you would leave a huge void in my life.

I guess I might have to go to someone else briefly to work through all this shit of the rupture between you and me. But other than that.....no one else.

>It sounds like you are clear that until I know when that time is, you cannot take support from >me.

Almost. I can't be in a therapy role with you as long as ALL this shit is unresolved. This triangle stuff is not new. Looking back on it, it's been going on ever since 6 - Menta... hit town and it's gotten steadily worse and more damaging.....with 6 - Menta... bearing the brunt of that, but also damaging to me and I reckon to you. That HAS to be resolved before I can be in therapy with you again.

And we agreed that we couldn't do our three-way conference(s) to work on that until you and 6 - Menta... got clear on your stuff. It's looking like that may not happen. It may have gotten to the point where it's not possible for her to come back to you. And then there's your end, which isn't looking too good either.

>I am going to look very hard and clearly at what you have to say to me,
 >7 - Nam...

Lordie, Laura. I hope you do. I feel more strongly than ever that you're fighting tooth and nail not to face something with 6 - Mental... I feel more strongly than ever that your healing lies with her. What you're doing is just way too familiar to me because I'm convinced that it's what I just did myself. You're doing the same shit that I did, and boy do I know how THAT feels. And looks. Reruns.

6 - Mental... has a way of INSISTING that the people she loves dig out their shit and clean it up. It's a gift. She's doing it with you....or at least she was trying to. I'm convinced that if you don't give it up and realize this and be a mensch and do the right thing, that it's gonna be all over for all of us.

And I realize that you're bound to be thinking that I've fallen under 6 - Mental heal... spell and that I've been hornswaggled into believing what SHE says instead of what you said. In fact, I've got more integrity than that. That's what this is all about for me, remember? I listen to her, I go off and think about it, and I reach a conclusion. I listen to you, I go off and think about it and I reach a conclusion.

And I'll keep doing that as long as necessary. I'm being as utterly objective as it's humanly possible to be, short of being a Vulcan.

And I figured, what the hell. Why stop with a triangle? Why not go for a quadrangle? So Phoenix is now (willingly) involved in all this too. And she's receiving all the information that I am (albeit the part from you is second hand except that I'm letting her read your emails). (Boundaries? What boundaries?) And she is reaching the same conclusions that I am, from a profoundly dispassionate place. Phoenix, in fact, would like to come in and talk to you about all this....I think mainly to try to get herself some peace and quiet on the home front, but also because she's very concerned about the impending explosion. She SEES things differently than anyone I know. It might be a help. Would you permit her to talk to you? (email is nearly impossible for her)

>So I'm concerned that when you get in the middle, rather than simply hearing where I'm coming >from, that things get more tangled for you, and for all of us.

Whoa down here, Laura. You just said that I didn't hear you during that incredible session we had. How could you say that? How could you possibly say that? I have rarely heard anyone as clearly as I heard you. And you seemed sincere. And I went away and I thought about it and I looked at the other end of it, at what you were doing as opposed to what you were saying, and it didn't add up for me. I heard you all right. I just don't believe you. And it pains me to say it, but I think you're behaving very badly.

I believe that consciously you believe what you told me. But I think your unconscious is running wild in the streets and doing terrible things and that you need to pay attention to that NOW.

>Your welfare is more important to me than my own here, and if yours rides on hers, than I have >to make hers more important, too, and I will.

Whoa again! Being painfully blunt again, way I look at it is....if you make a mess, you clean it up. If you have mortally wounded ^{6 - Mental...} (and you may have....I'm very worried that she may not survive this thing with you), then you need to make her welfare the paramount thing, not because of ME, but because that's what a human being owes another human being.

My welfare is riding on your behavior with ^{6 - Mental...}, not on her welfare. Be clear about that. Very important distinction. Crucial distinction.

>That is my commitment.

I appreciate your willingness to make commitments around this stuff. I appreciate your willingness to be flexible in this very bizarre situation where you've got your client in your face meddling in your private life. I appreciate a lot of things about you.

And right now I see you fucking up badly. So you're human. I can live with that. It can actually be a healing thing for me to see you be so human. But only if you follow through to the other side and fix the mess you've made. Otherwise it becomes a nightmare and teaches me that being human is really, really bad and harms other people unbearably.

I think ^{6 - Mental...} said it best in that poem she wrote for me when I was crazy, and I'm going to reprint it here for you and hope like hell that you can take it in.....

Love Your Shadow

Love your shadow, for it begs
for your embrace, and no one else
can hear it. You are the waning moon,
a mere thin crescent, fighting
your soul, black madonna waiting
to be held. Redemption lies in union
with your failures, cast away here,
precious dark crimes, orphaned by
your hate: their only hope your love,
their only home your heart. For
only thus can you rejoin
the greater feast of humankind.

Thanks for reading this far. You're a brave girl.

Cindy

Envelope-to: quimpers@olympus.net
 Delivery-date: Sat, 28 Mar 1998 15:11:19 -0800
 Date: Sat, 28 Mar 1998 18:10:02 -0500
 From: "Laura S. Brown" <lsbrown@compuserve.com>
 Subject: Re: Just to check in
 Sender: "Laura S. Brown" <lsbrown@compuserve.com>
 To: 7 - Name - Whistle... 7 - Name - Whistleblower Regarding Health...
 MIME-Version: 1.0

----- Forwarded Message -----

>7 - Name ... I wasn't sure that it was a "no session until three way" rule, which
 >is why I asked. Not trying to violate your boundaries here, just not clear
 >what was possible. So thought I'd find out.

Good nightshirt, Laura! I don't understand what's going on here. I've
 told you over and over and over that I won't do therapy with you until the
 triangle thing is resolved, and you just won't hear it. What on earth is
 going on?

-well, I thought on this. I have this piece of my own, an anxiety from my
 relationship to my mother, which when I articulate it is goes like
 "if-I-don't-take-care-of-mom-she-will-die." I realized thinking on what I
 was up to here that I have some of that in my relationship to you. So I let
 my anxiety and my need to calm it become more important than listening to
 you and your clarity. I apologize for that, and will be paying more attention
 to keeping that piece of mine transparent in relating to you-

>So the three of us will meet on the 13th.
 >So I'll see all of us then.

I'm looking forward to it.

-me, too. I really want to do this. I asked not to last week because I knew
 I'd be very fatigued and jet lagged, and that puts me at a place where I risk
 losing the better clarity I have now and getting back into old shitty places.
 And I don't want to do that. Where I am still feels fragile enough that I
 can feel where it doesn't hold up, and fatigue is a big piece. So I want to be
 off the road, and as present as I can be-

P.S. I forwarded your note to 6 - Mental... and she had some comments about it
 that she thought it'd be good for me to send along to you.

-thanks. They echo some of what she said to me, so I won't comment more
 about them here.

I really appreciate where you're at now, you know? It's damn impressive.
 Makes my little heart sing with joy, even though I know I'm not always
 acting that way (sigh).

To: "Laura S. Brown" <lsbrown@comserve.com>
 From: quimpers@olympus.net (Phoenix & 7 - Nam...)
 Subject: Time is for damned sure running out....
 Cc:
 Bcc:
 X-Attachments:

>My sense is that the time apart was very hard on the relationship. But not
 >that everything is undone. Just that we both need some greater clarity with
 >one another. So I'm pretty hopeful. Worried, though, because I go on
 >vacation for three weeks in less than a month. Time is not on my side.

>>I'm going to say to you the same thing that you said to me, that stopped me cold in my >>tracks:

>> What if she's right?

You didn't respond to my question. You talked about stuff, but you didn't respond to my question, and I was dead serious when I asked it.

When you asked ME that question last Fall, it literally stopped me cold in my tracks. It jarred me out of my own self-involvement like nothing else ever had. FINALLY I took a good long look at the possibility that 6 - Mental ... was right and about the implications of that, and a huge upheaval occurred within me and that's when I began to heal. That also is one of the things that precipitated my depression, but now I'm thinking that I had to go through that depression in order to get to the other side, where I am now. It was so horrible that it felt like it seared out my insides or cauterized them or something. But it was a cleansing thing.

And damn it, if *I* can have the courage to face something that horrible, so can you. I want and need for you to be as big as I was and am.

And don't give me that stuff about not having any courage. I'm not buying it. When courage is needed, you don't lack the resource...you lack the desire.

And it still comes down to this:

WHAT IF SHE'S RIGHT?

I want you to step from behind all your defenses and perceptions and explanations and certainties and stand in your nakedness before that question: what if she's right?

I've seen you be in terrible pain and I've seen 6 - Mental... be in terrible pain. I've seen her hanging in there with you in spite of her own pain and agony (direct result of your awful treatment of her), trying to help you through this. And I've seen you turn your back on her offers of help. And you're still not in therapy, far as I know.

Laura, you would have an absolute shitfit if I were in such despair and refused all help. You KNOW that that's not how to do this. Are you truly so grandiose that you think the same rules don't apply to you as to everyone else? When you're depressed and in despair, you're not bigger and braver and wiser than ordinary humans. You're just another ordinary human, suffering like ordinary humans do. Being so knowledgeable about depression and its treatment doesn't give you any special protections when you're in the middle of it yourself. You're not going to be handed a trophy for getting through it on your own. You KNOW that. You have to have help. 6 - Mental h... wants to help. For all of our sakes, please LET her.

Whether you like it or not (and clearly you don't), you're sitting on a two-way street, not a one-way street. If you're gonna take in 6 - Mental health... pain and try to help her, as you have these past years, you've also got to let her take in your pain and help you. To do otherwise is, to me, immoral. Please think about this.

I'm both very frustrated with you and very concerned about you.

Cindy

Envelope-to: quimpers@olympus.net
Delivery-date: Fri, 17 Apr 1998 21:41:30 -0700
Date: Sat, 18 Apr 1998 00:40:17 -0400
From: "Laura S. Brown" <lsbrown@compuserve.com>
Subject: Time is for damned sure running out....
Sender: "Laura S. Brown" <lsbrown@compuserve.com>
To: 7 - Name - Whistleblower Regarding Health Care Provider or Hea...
MIME-Version: 1.0

----- Forwarded Message -----

>My sense is that the time apart was very hard on the relationship. But not
>that everything is undone. Just that we both need some greater clarity with
>one another. So I'm pretty hopeful. Worried, though, because I go on
>vacation for three weeks in less than a month. Time is not on my side.

>>I'm going to say to you the same thing that you said to me, that stopped
>>me cold in my >>tracks:

>> What if she's right?

You didn't respond to my question. You talked about stuff, but you didn't
respond to my question, and I was dead serious when I asked it.

-I know I didn't respond. And I know you were serious. I am caught
between what feels like a hooked response, of "no one else thinks
this" which is increasingly not true, and "then I am lost" which is
what feels true. So I just said nothing-

When you asked ME that question last Fall, it literally stopped me cold in
my tracks. It jarred me out of my own self-involvement like nothing else
ever had. FINALLY I took a good long look at the possibility that 6 - Mental...
was right and about the implications of that, and a huge upheaval occurred
within me and that's when I began to heal. That also is one of the things
that precipitated my depression, but now I'm thinking that I had to go
through that depression in order to get to the other side, where I am now.
It was so horrible that it felt like it seared out my insides or cauterized
them or something. But it was a cleansing thing.

And damn it, if *I* can have the courage to face something that horrible,
so can you. I want and need for you to be as big as I was and am.

-I know I should be able to do this. I am not sure that I am as big
as you are, you know. I have come to the realization that you have
greater soul and depth than I ever will; I'm sorta good at hauling
people out of pits, but that's about where my skills stop. I also
somewhere sorta know that I am having depressed cognitions about
myself right now and shouldn't trust my self-assessments-

And don't give me that stuff about not having any courage. I'm not buying
it. When courage is needed, you don't lack the resource...you lack the
desire.

-I sure had to think about this. I don't know. Things are too
illusorily calm too much of the time. I have such skills at keeping myself
from feeling what I need to feel to get to the desire a lot
of the time. This week, well, the skills weren't working too hot
So I've been creating a situation for myself where I will force
the desire back up. Telling on myself to a number of friends-

And it still comes down to this:

WHAT IF SHE'S RIGHT?

-then I'm pretty lost, is what-

I want you to step from behind all your defenses and perceptions and explanations and certainties and stand in your nakedness before that question: what if she's right?

I've seen you be in terrible pain and I've seen 6 - Mental... be in terrible pain. I've seen her hanging in there with you in spite of her own pain and agony (direct result of your awful treatment of her), trying to help you through this. And I've seen you turn your back on her offers of help. And you're still not in therapy, far as I know.

-that's true. I've hit multiple dead ends. I call a couple of people every week, they are full. I'm on a waiting list for one. I am not just turning down 6 - Mental ... not that that makes it any better. But it's not aimed at her-

Laura, you would have an absolute shitfit if I were in such despair and refused all help. You KNOW that that's not how to do this. Are you truly so grandiose that you think the same rules don't apply to you as to everyone else?

-this is not about grandiosity. I know that the same rules apply. I give myself long talks about this daily, and more. I see how I trap myself with my depressive cognitions, and try to work my way out to let people in. I'm giving myself shitfits, if you wanna know-

When you're depressed and in despair, you're not bigger and braver and wiser than ordinary humans. You're just another ordinary human, suffering like ordinary humans do. Being so knowledgeable about depression and its treatment doesn't give you any special protections when you're in the middle of it yourself. You're not going to be handed a trophy for getting through it on your own. You KNOW that. You have to have help.

6 - Mental ... wants to help. For all of our sakes, please LET her.

-If I can let anyone, I could let her. 7 - Name -... I am not trying to keep her out. I'm very shut down and numb and crawling under a bit of a rock-

Whether you like it or not (and clearly you don't), you're sitting on a two-way street, not a one-way street. If you're gonna take in 6 - Mental hea... pain and try to help her, as you have these past years, you've also got to let her take in your pain and help you. To do otherwise is, to me, immoral. Please think about this.

-immoral is a good word. That's a good description of how I feel about how I am with the people who love me these days. I've had this same dynamic occur now with Miriam, who was here for the week. So it's closing in on me from all sides. And I know that when several people say the same thing, they're right. I just have to get a little more uncomfortable with myself, I guess-

I'm both very frustrated with you and very concerned about you.

-I appreciate both of those sentiments a lot. I miss you, and working with you. I wonder how you are, and hope you are continuing to be very well. And no matter how hard this is, I am proud of you for staring me down and reminding me of

what is true. Thanks-

000018

To: "Laura S. Brown" <lsbrown@comserve.com>
From: 7 - Name - Whistleblower Regarding ... (Phoenix & 7 - Nam...)
Subject: Re: Time is for damned sure running out....
Cc:
Bcc:
X-Attachments:

>>And damn it, if *I* can have the courage to face something that horrible,
>>so can you. I want and need for you to be as big as I was and am.

>-I know I should be able to do this. I am not sure that I am as big
>as you are, you know. I have come to the realization that you have
>greater soul and depth than I ever will;

What is this, Laura? Could you diminish yourself more? I *am* as big as you imagine. I got that way partly from my own innate self, and partly from your example and partly from 6 - Mental he... influence, and Phoenix's. What's wrong is your imagining that I'm something that you're not.

I reckon that's partly depressed thinking and partly a long-held, secret belief on your part that you're lacking as a human. You were spending so much time teaching me to be human.....and now I think you're feeling your own humanity in a big way after a long struggle not to. And I think that not only are you feeling the usual stuff around finally admitting that you're human and fallible and weak and that you do bad things....you're feeling that you're not even as good at THAT as you should be. That you're a defective human.

I don't have greater soul and depth than you do. That's just silly, if you'll excuse my saying so. You and I are so much alike and we seem to be running on uncannily parallel paths.....we are both people of great soul and depth. I doubt that we have more soul and depth than other humans, but we both have a lot. And so does 6 - Mental h... I know this.

>I'm sorta good at hauling
>people out of pits, but that's about where my skills stop. I also
>somewhere sorta know that I am having depressed cognitions about
>myself right now and shouldn't trust my self-assessments-

No shit, Sheila.

>>And don't give me that stuff about not having any courage. I'm not buying
>>it. When courage is needed, you don't lack the resource...you lack the
>>desire.

>-I sure had to think about this. I don't know. Things are too
>illusorily calm too much of the time. I have such skills at keeping myself
>from feeling what I need to feel to get to the desire a lot
>of the time. This week, well, the skills weren't working too hot
>So I've been creating a situation for myself where I will force
>the desire back up. Telling on myself to a number of friends-

I'm glad to hear this. Gotta help. Desire is the first thing to go, I think, when you're sliding into a depression. And I think maybe you've been sliding into this depression for a while now.

Hear me: you are a woman of great courage. You have what you need to get through this.

>And it still comes down to this:
>
> WHAT IF SHE'S RIGHT?
>
>-then I'm pretty lost, is what-

NO, Laura! You've got that ALL wrong. What you are is on the way to being found. If you have finally given up your multitudinous and vigorous defenses, and have finally admitted that all (or most) of the things 6 - Mental healt... been trying to tell you are true and you're finally trying to deal with the fact that you're walled off emotionally, and if you're finally going through the inevitable depression that is part of this territory.....then you're finally ready to heal.

You're not at all lost. You're right exactly on the path that you should be on. And from here on out, IF you have managed to shed all those defenses, it will be a process of healing the broken parts of you and you're gonna end up a healthy, whole human being for the first time in your life. Just like I did. Let me tell you, it's worth the journey.

>>And I've seen you turn your back on her offers of help.

>I am not just turning down 6 - Mental h... not that that makes it any
>better. But it's not aimed at her-

But you HAVE singled her out to bear the brunt of your anger and denial, at huge cost to her. And in spite of this, she has been as steadfast as the beacon on a lighthouse cutting through the fog for you.

She seems to be uniquely in a position to help you.

>I'm giving myself shitfits, if you wanna know-

I'm glad to hear this too. I know from long experience that there's no one better at giving folks shitfits (except maybe 6 - Mental h...), and if you're giving yourself shitfits, this is a good thing.

>-If I can let anyone, I could let her. 7 - Name ... I am not trying to
>keep her out. I'm very shut down and numb and crawling under a bit
>of a rock-

She's probably willing to sit under the rock with you. So am I, for that matter. I think you're only going to be able to maintain the shut down/numb thing a very short while longer. It's time, Laura. It's time for your feelings to see the light of day and be embraced and rejoiced in. Resistance, at this point, is futile. (not making light of the situation....it truly is futile). Give it up.....being shut down and numb is not serving you well, and never has. And it is keeping 6 - Mental h... in agony. Please give it up, for both your sakes.

>I miss you, and working with you.

I feel the same. I want this to be over.

>I wonder how you are, and hope you are continuing to be very well.

I am fine, Laura. I'm continuing to do and be very well.

But I have to tell you that it's put me in a tailspin to know that you're depressed and despairing. Scary for me to have you enter that territory. 7 - Name ... Lou's scared.

7 - Nam...

To: Laura

From: 7 - Name - Whistleblower Regarding Health Care (Phoenix & 7 - Name ...)

Subject: Stuff

Cc:

Bcc:

X-Attachments:

Laura....

9:00am, Sat.

At 4:30am today, 6 - Mental h... told me that during this past week she has received one short message on her machine from you, saying that you were glad you had come. You have not called her; you sent one email in which you argued with her about her self-knowledge rather than empathized with what she was telling you. No other email.

You did not say good-bye to her before you left. You did not express concern or even acknowledge that your leaving was going to be extremely difficult for her. Most importantly, you did not do what you should have been doing all week: talking to her about your approaching departure and strategizing with her about how best to get her through it. You have not sent her email from Europe as you promised you would.

I'm astounded. I really believed you last week. I really believed that you intended to stop being mean to 6 - Mental h... and to start trying to undo some of the damage you have done. I fell for it hook, line and sinker. I feel utterly betrayed. You didn't even stay the course for a week.

WHERE IS MY BELOVED LAURA? I can't find you anymore. You're gone.

I believe that you are in a great deal of pain. I believe that you have begun to recognize the need to grow and heal. I know that preparing for the trip to Europe was stressful. But my god, Laura! Are you truly so utterly self-centered that you could just forget all that you had just promised 6 - Mental h...? Did you think that *I* wouldn't notice your failure to follow through? I feel like you lied to me as much as you did to 6 - Mental h...

I feel horrible having to say the same things over and over to you. You won't hear me. You discount what I say.

But I'll do it once again, because so damned much is at stake. Let me spell it out for you one more time, though I no longer have any expectation that it will make a difference. You have destroyed 6 - Mental h... That had happened long before last week. You -- have-- destroyed -- Loiusa. You are now the primary and proximate reason for the shape she's in.

That being the case, you have a moral obligation of the highest order to try to undo as much of the damage you have done to her as is still possible. It is a moral obligation that should supercede everything else in your life, because you have orchestrated it so that 6 - Mental heal... life hangs in the balance, dependent on what you do. Fuck your pain. Fuck your life. If you have ANY sense of morality or even basic decency, you will try to behave in a way that will help repair some of the damage you've done. That should be your highest priority.

Jerking her around once again, in such a profoundly dismissive way, is not acceptable. You had a lot of trouble finding words last Saturday to express your positive feelings toward her. You are amazingly eloquent when it comes to telling her that she's a piece of shit and that you don't care about her. Sometimes all it takes is ignoring her.

Here's what I want you to do: I want you to email her as fast as you can, apologize for being a total flaming asshole YET AGAIN, and ask her what you can do to make this separation easier. Don't talk about yourself. Don't defend yourself. Just express concern about her and try to help her. And I want you to call her often when you're out of email range. I want you to do the right thing.

I am absolutely enraged with you. I cannot believe that Laura my beloved therapist whom I've trusted with my life all these years, is capable of being so...so...god, I don't know what the word is for what you're being. I don't know the diagnoses in the DSM-4. But I tell you what I know from inside me: you are a woman without honor or ethics.

You gonna stay that way? Because if you are, it would be a kindness to let both me and 6 - Mental h... know right now, instead of telling us all these bullshit lies and keeping us hanging. I say "we" because

you're screwing me around too, y...now. You're hurting me.

Do you know what it feels like to watch my therapist destroy somebody I love? Do you know what it feels like to have the urge constantly to APOLOGIZE to 6 - Mental h... for your behavior because you're my therapist and somehow it seems like what you do is my fault too? You have any idea how horrendously painful it has been to play this role in this goddamned triangle?

And you should have written to ME last week. That would have been decent and respectful. I said it before and I said it again: YOU'VE GOT TO WALK YOUR TALK.

Let me frame this in terms that may get through to you finally. Like I said above, I believe that you have truly recognized that you have a dire need to grow and heal. It is also my belief that you will never be able to do that on any kind of deep level until you do right by 6 - Mental h... You cannot destroy another human and then go your own merry way and leave her for dead by the side of the road and then heal. So....and here's the part that may finally get to you...it's in YOUR OWN BEST INTEREST to try to help 6 - Mental h... Your own healing hinges on it.

I know that I have just insulted you horribly. I can't believe that it's come to this. It breaks my heart that it's come to this. It's tearing me to pieces. But you just won't do the right thing, and I don't know what else to do.

I'll tell you one thing: if 6 - Mental h... goes the next 3 weeks without hearing from you, I'm going to be sitting on your doorstep when you get back. And I don't mean that metaphorically. I mean that literally. I'm going to have a talk with you, in person. I will NOT let you finish killing my beloved friend.

7 - Na...

To: Laura

From: 7 - Name - Whistleblower Regarding ... (Phoenix & 7 - Name...

Subject: Stuff

Cc:

Bcc:

X-Attachments:

I know you must be back home by now.

6 - Mental h...

Please tell me why you disappeared so completely from 6 - Mental h... after promising so many times, in so many ways, not to do that again?

And please don't tell me that it's because she wrote to you after that Saturday visit, telling you how painful it was for her to be in touch with you and all that. It doesn't fly, Laura. You know that 6 - Mental h... speaks with more than one voice and that the voice that wrote that stuff was expressing her agony. You also know that the PARAMOUNT, overriding, most important thing was for you to stay in contact, no matter what she said. You knew that very well, and you promised that you would, and you didn't. You said that you understood that you needed to do all the initiating, and you forgot that immediately.

Please just tell me the bald truth. WHY?

I'm feeling so much anger and pain....at being so personally abandoned by you in this whole awful process and at your abandonment of 6 - Mental h...

It makes me want to throw my head back and wail.

And there's so much more that I'm feeling and containing inside that I feel like I'm struggling to hold back a vast flood.

And I'm completely thwarted because there's no way to work this through with you. And I have no where else to go with it.

7 - Na...

To: "Laura S. Brown" <lsbrown@comserve.com>
From: 7 - Name - Whistleblower Regarding ... (Phoenix & 7 - Name ...
Subject: Re: Stuff
Cc:
Bcc:
X-Attachments:

At first I thought I was going to call you about this and then I thought I was going to go see you in person. Then I realized that I could achieve more clarity and say what I wanted to say if I stuck to email.

So here it is.

You have dumped 6 - Mental h... without telling her. You told me that you have dumped Loiusa, knowing that I would have to tell her. You've left me, your client, to clean up the mess you've made with her.

How could you be more unethical, more immoral, more despicable?

She tells me that the one thing you said that you would never do is terminate her. I have seen you say that. Over and over. And you have done it anyway, and haven't even had the decency to tell her. You've just disappeared, and left me to do your work. You've left me to witness the mess, when you knew even seeing her in the pain of this would hurt me greatly.

She also tells me that you promised that you would never tell Miriam about all this, because you knew that that would mean "the end of things". You knew Miriam, being who she is, would not tolerate a relationship that is complex and close and would insist you end it. You said right before leaving that it was the "one thing you would never do." So you told Miriam anyway--just your side of it, of course--and the result was that you felt a "healing" that prompted you to dump 6 - Mental h... A "healing" that prompted you to behave in ways that are utterly unethical and immoral.

You KNOW that the worst thing you could do to 6 - Mental h... is what you're doing now. You KNOW that. You KNOW that you, with your craziness, have damaged her beyond belief, and you KNOW that you have a responsibility to clean up that mess. And you're turning your back on that responsibility and pretending that it no longer exists because you've decided that it's not healthy for you.

DID YOU THINK I WOULDN'T *NOTICE*? Did you think that I'm so blind and dumb that I would just nod my head and say, "Oh, yeah Laura. That's cool. You've got to take care of yourself, for sure."

WHAT WERE YOU THINKING, WRITING THIS TO ME?

>I am not the persons who put the terrible wounds into her psyche.

The hell you're not! You are the FINAL person to put deep, bloody wounds into her psyche, and you have probably done more damage now than the others and you know it very well. You have asked her to go BEYOND her wounds to trust you, promised that that risk would be safe, then done MORE betrayal and crazy abandonment than anyone so far. You have, in your craziness, savaged her psyche and left her MUCH worse off than she was when she came here. I cannot believe you would pretend that this is otherwise, when you KNOW the truth. You've admitted this, in email and in front of me and to me privately. Did you think I could forget, when I have the results of your horrible behavior in front of me every day?

You have known this CLEARLY, and admitted it for months while in your craziness, and now because you WANTED to justify dumping her you've totally turned reality on its ear. Including YOUR reality. And that is inexcusable, Laura.

How could you possibly imagine that you could get away with this with me?

>Sadly, because at one point I thought I could be a part of it, I cannot be a part of her >cure.

The hell you can't! All you have to do....ALL you have to do....is be in touch with her and be a real person with her. And you have to keep your promises. All of them. You promised never to terminate her. You promised never to bring Miriam into it, and that one's already irrevocably broken. You promised that if she moved out here, you would be her friend and colleague and that you would help her heal. You promised, on that last Saturday, that you would NOT disappear on her, that you would stay in

touch. You've broken so many promises....and you've damaged her so very badly.....

She never asked you for a cure. She asked you to be accountable and decent, and not crazy. And to not abandon her. She NEVER wanted to do therapy with you, and you KNOW THIS. YOU KNOW THAT SHE HAS BEEN WAY TOO HURT TO DO THERAPY WITH YOU OR ANYONE; she even hates the slightest hint of someone taking a therapy role with her. Casting her as the one with the pathology here is a therapists' greatest immoral justification. You know that too.

I shouldn't have to tell you this, and I shouldn't have to tell you this AGAIN: You have a moral and ethical and human responsibility to her to clean up the mess you've made. To ignore the mess you've made and dump her cannot possibly be healing to you, because it's so fundamentally, profoundly WRONG.

You're deluding yourself, Laura, and now you've enlisted Miriam and a therapist and maybe others to help you sustain this delusion so that you won't have to deal with what you're doing to me and to

6 - Mental h...

And you've tried to enlist me into your delusion, and it's not going to work.

You are causing ME terrible, unspeakable pain. I feel that you've betrayed me on levels that I'm only beginning to see. I can't imagine how I will deal with them. I'm too overcome with trying to absorb what you've done in this letter and the other one. I never dreamed that you would be capable of doing anything like this. I'm stunned. I feel like a deer blinded in headlights. I feel gutshot.

You've not only dumped 6 - Mental h... ..you've dumped me. You've got both of us double bound, after creating all kinds of dependency and telling each of us we could trust you.

And you've left it to me, a CLIENT, and her FRIEND, to dump her for you.

I can't address your other letter yet.

To: Laura

From: 7 - Name - Whistleblower Regarding H... (Phoenix & 7 - Name ...

Subject: more stuff

Cc:

Bcc:

X-Attachments:

I came home to find that you had had a long talk with Phoenix about the situation.

I am FURIOUS with you for this. You had my permission to discuss my welfare with her when I was very depressed in January. That had a clear beginning and a clear end. You had no RIGHT to talk to her without my permission.

Have you abandoned ALL your therapist ethics? You're turning this into a free-for-all with no boundaries and you're the one doing the slinging while we sit here and trying to sane in the face of your insanity.

You do NOT have my permission to talk to my partner.

It's hard to believe that you would also talk to her about 6 - Mental h... You're just relentless in your drive to reassure yourself and everyone else that 6 - Mental h... is the one who's nuts. It really sucks, Laura. You had no ethical right to talk to her about 6 - Mental h... either, but you seem to have stopped caring about such things.

So you succeeded in creating more triangulation. Was that what you were after? Phoenix and I had a big fight when I found out she had talked to you. Biggest one we've ever had, by far. At one point she threatened to leave me. And 6 - Mental h... is now triangulated with Phoenix too, since Phoenix talked to you about her. Phoenix is 6 - Mental h... close friend too. It is one thing for you to shed your morals with 6 - Mental h... personally. It is another thing for you to go behind her back, without her permission, and dump your negative shit on the lap of one of her two best friends. Phoenix herself has heard almost nothing from 6 - Mental h... about all this. This leaves 6 - Mental h... even more alone in this mess that you have created.

What boggles my mind is that you were here on that Saturday only four weeks ago and you seemed so genuinely clear and loving and determined to work on what was obviously your own stuff....and 6 - Mental h... was gentle, hard as it was for her to be with you after one long absence from you and before another. And then you came back from Europe and turned it all around so that it's all 6 - Mental h... being crazy now and not you. And you've got to get rid of her for it. This is insane.

And now that I'm thinking about it, I have to ask, did you talk to Miriam about me? Did you ever mention my name to Miriam? You did not have my permission to do that, but there's no way you could have discussed all the stuff about 6 - Mental h... without talking about me too. DID you talk to her about me? I want to know.

But I don't even have to think about all the betrayals and boundary violations you have done in order to realize what's happened to you. I don't have to go beyond one basic thing. What's clear to me is this, Laura: the simple fact that you would tell ME, your client, that you were dumping 6 - Mental h... instead of telling her yourself, and leave ME, your client, to deal with the resultant meltdown tells me that you've gone round the bend. This behavior is so far removed from anything remotely ethical or moral, so putrid, that you MUST have gone truly crazy.

I don't doubt that you've created a very complex, airtight rationalization that accounts for all the factors in this, and leaves you innocent and justified at every turn. I believe that you would find this very easy to do. I believe that you would also find it easy to find people to shore you up in this rationalization. I believe that you are at the point now where you would do ANYTHING and sacrifice ANYBODY to keep from having to face what you've done and what you are.

I can't begin to tell you what damage you have done to me today. There's been a lot of damage accumulating over the last six months, but today.....today was over the top. And there are simply no words in any language to tell you how utterly enraged at you I am for what you have done to 6 - Mental h... You would never do to a dog what you have casually done to 6 - Mental h... There is no excuse or explanation for it other than that you have allowed yourself to become a moral monster.

To: "Laura S. Brown" <lsbrown@comserve.com>

From: 7 - Name - Whistleblower Regarding ... (Phoenix & 7 - Name ...

Subject: Re: Fighting for my relationship with you

Co:

Bcc:

X-Attachments:

I realize that in my previous letters to you, I've been very angry and have been kinda flailing away at you. That can't have been easy for you and I don't think it did much to move things along. The tone of this letter is gentler, with scattered crankiness.

>I want to fight for our relationship and not allow a third person to set its terms, which >I realize I have been doing for too long.

Laura, at our last meeting, we all started to make progress and you expressed such sincere desire to stay connected to 6 - Mental h... and you hugged her and said you loved her, and you said a lot of real good reasons why you REALLY wanted to have her be a part of your life. And we all agreed to get closure and resolution on all that January/triangle stuff. How on earth did you get from there to here?

I'll go on the assumption that telling Miriam was what turned you around, mainly. So now there's still another person involved....someone who has only heard your side, someone who obviously has a huge conflict of interest, especially if she only hears a version distorted by all your fears.

But more important, how on earth could you imagine that 6 - Mental h... has been setting the terms of my relationship with you? This is mind boggling to me. You have been trying to tell me I'm being brain-washed or controlled by 6 - Mental h... for a long time, and I keep telling you real clearly that this is not true. I feel you are refusing to hear me, and I am the one who has the right to say what is or is not going on. It shows disrespect to both me and her to say that.

It is as if you are trying to turn me against her and break us apart, and it seems that you're justifying that by coming up with this idea that she tried to sever me from you last winter.

If she wanted us apart, she wouldn't be trying so hard to find a win-win solution for everyone here, including you and I. She says, AND I BELIEVE, she wants closure on the triangle part of things with everyone being heard (like we agreed from the beginning) and to let you and I do our thing without her being a part of our relationship.

It seems you've really gone off the deep end again in your negative delusions and paranoia about Louisa. What I see when I look at her....I see her so earnestly wanting a resolution here that's not harmful to any of us. I see her working from her deepest heart on how to do that-- a resolution that would minimize the harm, and allow us to focus on the good and on healing.

You committed to a framework for healing that gave us all a voice.

You're gonna "fight for our relationship." Fight what? Fight who? The main thing standing in the way of our resuming our relationship is your negative stuff toward 6 - Mental h... You are fighting AGAINST 6 - Mental h... as if she is the enemy. As I've been saying over and over...ALL you have to do to have me back as a client is to make things right with 6 - Mental h... Don't slam the door on that possibility, PLEASE. Join in the attempt to allow all of us some healing.

You promised me repeatedly that you would do that. You almost did it. And then you did a 180 and now are doing this wildly crazy stuff that's way more distorted than what you were doing before. ANYTHING would be better than making 6 - Mental h... disappear, and making her totally powerless. If you do that, it means that she is left alone holding the bag of all the pain from this whole mess that involves all of us. And it lets you get more and more pretzled up in these fears and assumptions about her.

It is tearing my heart out to see you suddenly creating this big false construct wherein everything is 6 - Mental h... fault and you are justified in destroying her in order to save yourself. It's so wrong in so many ways. It's so damaging to all of us.....her especially, but also you and me.

>So I have some things to say that I never have said because I thought they >would sound like "me-too" isms. And I'm going to say some of them now.

How could you imagine that you could "get me back" by telling me a bunch of trash about 6 - Mental h... And you HAVE been trying to convince me 6 - Mental h... is the problem, each time you trip and fall into this paranoid place. What I observe is this: when we're actually face to face, everyone's fears start to ease, things are really very gentle and loving, and you get clear again; she gets less afraid again; I feel like maybe I can have my therapy back.

What makes this even more tragic is the fact that if she said these things, my response is.... Yup, makes sense to me. I was metastasizing all over her. I was doing a lot of crazy shit to her that I wasn't doing to you. You had no way of seeing that.

And even if all these things were true (and some for sure are), I wouldn't care. That was then. We were all stressed and part of a triangle. None of it can be understood without us all dealing with the triangle.

What happened six months ago has NOTHING to do with what's happening now. What's happening now is that I'm watching 6 - Mental h... be willfully and maliciously destroyed by you. And by this I mean the abandonment without resolution, not what's gone before. And I'm seeing you trying to get me to go along with you in this.

>supposed to turn me against you, to see you as more profoundly disturbed,

I WAS profoundly disturbed. I was psychotic alternating with being a total wing nut. And I was being VERY crazy to 6 - Mental h..., and I DID have psychotic delusions about her at the time--I wanted her to be my Great Cosmic Mother, to hold me and take my pain away...when I wasn't busy seeing her as Evil Incarnate.

Doesn't get much crazier than that.

Now that I'm sane and I'm experiencing 6 - Mental h... for real, I don't see the person you are describing--the person with bad energy and enmity toward me, toward you, toward you and I.

Yes, sometimes when she's feeling bad, she lashes out at me and is rude or thoughtless. And I say something. And she goes away and comes back and apologizes. Sometimes, when she's feeling bad, she can be a real asshole. So can I. So can Phoenix. I've learned not to take this stuff personally and I don't react. I shrug it off. Most of the time, our relationship is comfortable and it's always a joy to me.

Once she gets it that there is a piece there to work on, I've NEVER seen anybody go away and work so hard on themselves. Never. SURE, she's a little hardheaded in getting it sometimes. That's part of why it hurts to see you not talking to her.

Yesterday, she came to the house and told me that she had recognized the truth in some of what you were saying about her. I know she can hold up her end of the deal.

6 - Mental h... is not the problem here. She's not trying to control me or my relationship with you. All she wants is to be treated decently and not be left. NOT ABANDONING HER is not the same thing as "fixing her." I do not see her getting all crazy except when you suddenly shut her out. Most of the time she is good-intentioned toward you, and to all of this mess. She has pushed for resolution for all of us all along. That is the truth. You have hardly seen her in three months, and I think your fears and assumptions have run away with you. Talk to her. Give her a place to talk. You will see these things yourself.

>want to start fighting for me, and start fighting for you-and-me. And so this is a first >step to that fight.

Please stop making this a war. We, and I think you, can find a way to step into adult mode here, and realize that all of us are good, not bad. I want healing for all of us and I know that 6 - Mental h... does too.

The first step is NOT to get rid of 6 - Mental h... The first step is for each of us to really work for healing, doing what each of us needs to do to ensure success. We need to hear each other, and not leave one of us twisting in the breeze.

You said that you cannot be the air that she breathes. I'm around her a lot and I don't see that. For the last few months, she has talked about you very rarely, other than before and after your visit. She's been living her life, trusting where you left things.

There are some things I am also willing to work on here, as part of my therapy and my part. But I can't watch you do this kind of rejecting violence to someone I love and whom I believe you love...someone who is NOT being all the crazy things you think she is...someone who has pushed so hard for healing. You know what? When we do talk about this, her constant refrain is that she WANTS VERY MUCH FOR ME TO STAY WITH YOU.

I DO NOT WANT TO TERMINATE MY THERAPY WITH YOU! I've said that over and over and it's still true. But the way you are acting now, I feel like the whole nine years of therapy I did with you, I was doing with a hologram.

This stuff you're doing now makes me feel like my beloved Laura wasn't real, and that she's been replaced by this person who feels crazy to me. I feel like all that we went through together, all the insights I had, all the things I learned from you...the totality of my experience with you...all of that I will lose if we can't find a different solution. If we stop now, I won't just be losing the future; I will also be losing the past. And that will be disastrous for me.

Don't ask me to negate my perceptions of my best friend, whom I see fighting FOR you, FOR us. And I see her much more than you do--again, you have barely seen her in months.

Do you know that I'm STILL saving my Advocates for you? I STILL haven't given up hope. When it became too painful to look at them, I moved them to a place that's out of my view. Which is what you have done to ^{6 - Mental h...} It is very very very painful for me to watch you doing that. I know you have needs and fears, but I think there is the possibility of a different solution here. Please open the door a crack.

I am thinking over your request to talk to me. I feel like I've got to be willing to move too.

To: Laura

From: 7 - Name - Whistleblower Regarding H... (Phoenix & 7 - Name...

Subject: Stuff

Cc:

Bcc:

X-Attachments:

>I don't want to be connected to 6 - Mental h... anymore.

My instant gut reaction to this is that you're trying to kill the messenger. It's an undeniable fact that 6 - Mental h... has triggered a lot of stuff in you, that has lead you to your present state. It's also an undeniable fact that you've triggered a lot of stuff in her, that has lead her to her present state. You're both miserable. I understand this.

Obviously, safeguards need to be put in here to protect you both. 6 - Mental h... has stunned me by actually pushing herself to get professional help. And you are seeing someone. And those things, I hope, are to work toward the good here.

But please don't lose sight of the fact that there's a REASON, a very, very important REASON why y'all were drawn to one another and formed such a bond of love. Sure, things got fucked up badly over the course of your relationship up to this point, and you've both been hurt and damaged. But it is my firm belief that if you're going to get out of this whole and new and on the road to some fundamental healing, you've GOT to respect what brought y'all together and remain committed to it. It is my belief, my intuitive knowledge, that if you fail to do this, you'll regret it for the rest of your life. And you'll never heal.

-I don't mean to say that she is setting the terms. Simply that you are profoundly influenced by your tie to her. And that I can say how I see it, and acknowledge that you don't see it that way.-

This is one of the recurring patterns in your email and your face-to-face conversations with me about all this. You do your duty and acknowledge that I'm seeing things differently from you, and then you proceed to state YOUR views and insist that YOUR views are the ones that are actually true and that I just don't get it.

I feel like your listening to me goes no further than your skin. I feel like all along, it's been your way or the highway. Before all this, before my own crash, I swallowed lots of what you said, without question, in therapy. Now when I think for myself, you seem to be trying to force me back into swallowing your versions of things again.

This is driving me nuts that you never consider that it might be the other way around. That maybe I'm in a more objective and sane place about some of this than you are.

You negate what I say over and over and over again. Each time that I have a perception that is different from YOURS, you proceed to tell me the reasons mine is actually wrong. And you, on the other hand, are right. This is MY experience of you, out of a sane, clear place, and I feel like you're insisting on not hearing this feedback. I feel like I'm banging my head against the wall.

I'm not talking just about differences of opinion. I'm talking about the ways you make your opinions more real, the ones we should act according to. The ones that are operative. The ones that are *really* right. Is it because I'm a client that you cannot grant me the fairness, or dignity, that I might be right?

This creates a bit of a problem for me.

Understatement of the century.

>The question is; will you be able to work with me if my decision is to work with 6 - Mental h...>to a mutual letting go of one another?

Of COURSE I will not be able to work with you. How on earth would I be able to resume therapy with you and ride happily into the sunset while you were proceeding to destroy my best friend? How can you imagine that I

could do that?

There is nothing mutual about what you have so far tried to force 6 - Mental h... to do. There's nothing mutual about forcing her to "work toward a letting go."

She says you are both taking small steps right now toward something better, and that's a big relief to me.

>Because that is currently

...and this word, "currently," is the one that gives me hope. That allows for the possibility of a course correction and some healing. I have spent 9 years in therapy with you, working ENTIRELY on the premise that people can change and heal what is negative and destructive, and move to somewhere else.

>the only possible outcome for me.-

Of course it's not the only possible outcome for you. It's just the only one that you're willing to entertain right now, for probably a host of reasons. There are a number of ways to go here that don't involve destroying 6 - Mental h... (and maybe also you and maybe also me, not to mention Paula and Olivia).

PLEASE soften up here and ease off a little. Your survival can NOT depend on a solution that involves the destruction of someone whom you've damaged badly and whom you have loved. Does Not Compute.

Like you told me when I was crazy, you are making her way bigger, and way more responsible, than is remotely reasonable or possible. I am hoping your therapy, like mine, is devoted to finding out where that came from that's beyond (before?) 6 - Mental h... so you can let her off the hook.

-I think that I need to separate out my goal, which is what I have promised to pursue and want to pursue, from the strategy. 7 - Name ... with great respect, I have given you too much power over my strategy here.

This really startled me. I've been controlling your strategy? First 6 - Mental h... has controlled you, now I am controlling you?

Seems to me you have pretty much refused the things each of us has suggested, and have maintained control over this whole mess, and kept it stuck.

>It is one that has worked extremely well for you with 6 - Mental h...; and each time I've tried it >out, over the last number of years, it has driven me deeper and deeper into despair.

I don't understand what you're talking about here. What strategy is it that has worked extremely well for me with 6 - Mental h... and has failed you? Please explain this. I'm very confused.

>But how she is configured is radioactive to how I'm configured.

I believe that this has been true. I believe that your pathology did not play nice with her pathology, and vice versa. I also believe that this is not a static, done deal and the inevitable pattern of the future. I believe that this can be changed and made safe for both of you. And that it would be a tragedy of great magnitude not to allow a chance for that to happen.

-it's not her fault. Or my fault. Or yours. I have some responsibility here, for not having protected the therapy. -

Again, I'm afraid that I don't understand what you mean here at all. I hear lots and lots about responsibility to me. I am glad for that. I don't hear anything about responsibility to 6 - Mental h... We both yanked her into my therapy, shared a lot of stuff with her, and now you're calling her the villain. I don't like that. It's unfair and not based in reality.

-well, I am not asking to go along with anything. I have felt like I was being asked by you to go along with your strategy for this, and I actually

did try to do that. Which was kind of dumb of me; not that yours is a dumb strategy, but I just complied, caught in a particular countertransference piece of my own.

And again, I just don't understand this. What "strategy" do you think you've gone along with?

Here's my take on stuff, yet again.

You fell apart. Two *separate* people who have been invested in relationships with you for many years, witnessed it up close; and were impacted. And tried to help. Not to fix you, but to encourage you and support you in fixing yourself.

We worked REAL hard to obtain a three-way healing solution. You agreed to participate in this. You agreed to for a long time. The times that you agreed to this each time were the times you seemed the most sane, in between falling apart.

Now you've suddenly changed your mind, unilaterally. While I get that you are feeling better and have done some healing, a lot of the stuff that you are saying about us, and ^{6 - Mental h...} seems really complicated and crazy to me. Like the very times you yourself in retrospect called crazy. So it's not just "my" opinion...it's been yours, when you get on the other side of this paranoia, every time.

-I know that my behavior seems pretty awful to you. I keep trying to find some ways to help you make sense of me without doing any more discussion of what has happened between me and ^{6 - Mental h...} -

I think I do make sense of you now, in that I think I have a pretty good understanding now of what's happening in your innards. I don't need or want to know any details about what has happened historically between you and ^{6 - Mental h...} On the other hand, you've suggested that there's a lot more "horrible" stuff.

I know play by play what there's been since she's been here, not always in person, but I've seen her through it all...what she's felt and done. It feels really shitty for you to keep alluding to "horrible" stuff. Either go ahead and spell it out, or stop with the allusions.

And I have to say that your continued allusions to your troubled history with her, coupled with your actually telling me a lot of stuff you think she said, did and intended, feels to me like you're trying to manipulate me into an alliance with you against ^{6 - Mental h...}

-I may be able to, in time.

Here is the hope again. Time is the issue here, isn't it? In part, anyway. You can't kill her off then get to a place where you yourself are "ready" and think it could help anything. She'll be out of the picture. There won't be anybody for you to make your peace with.

>I am trying to bring myself back from the emotionally dead, first,

I believe this is how bad it feels, and I care. Whether you see it or not, ^{6 - Mental h...} cares too and has really responded to what you are saying and asking. And whether you see it or not, BOTH of us have poured a lot of caring into you the last six months. And ^{6 - Mental h...} has not been "crazy," and I have seen her "crazy" places, way back when I was ill. And I don't feel crazy. I feel very sane. So just MAYBE you are not seeing some things clearly.

>...and to make sure that I am not going to go back into taking
>care of anyone else except myself-

This line just sent me right up the wall. You know how I loathe and despise it when people worship at the altar of self-care.

That's not what it's about. We're here to take care of each other AND ourselves. True, we have to do a good job of taking care of ourselves so

that we're ABLE to take care of ~~ours~~rs, but it can't stop there. That cannot be the be-all and end-all of the process. Taking good care of oneself is part of the journey, but it must not be the destination. If your intention is to get to the point where you don't take care of anyone but yourself, you will become very toxic to me.

Destroying ~~6 - Mental h...~~ in order to take care of yourself and heal, or even calling it taking care of yourself and healing, does not work. No good will come of it. You cannot take care of yourself and "heal" yourself at someone else's very great expense. It is the unhappy delusion of a frightened child and it cannot be allowed to direct your behavior. Only disaster will result.

For the last 6 months, ~~6 - Mental h...~~ and I have been devoted to taking care of YOU. You have been the center of our attention. We have been listening to you and helping you with your stuff. We had no choice, either of us. You were falling apart and were all over the map, and neither of us could have a relationship with you until we tended you. We did this with the understanding that your intention was to move in the direction of healing the painful things you were doing at the time; in the direction of healing the triangle.

Now I feel used. You didn't follow through, and in fact you chose a reality that is rooted in the past and distorts the present. It ignores the time and energy we put into helping you, under what seems like false pretenses. This feels very, very bad to me.

~~- 7 - Name ...~~ the person you love, as I kept telling you over and over and over, not as a therapy shtick, but because I know it is TRUE, was yourself that you could see in the mirror of me.

Great. That makes it even worse.....if the mirror was flawed all along.

>I have realized, though, that I was making you into "she-
>who-must-be-obeyed." You don't want that role. I don't want you, or
>anyone else, in that role.-

Good lord. I had no idea you were seeing me that way. You damned right I don't want that role. All I've been doing is telling you what I know to be true. You had a responsibility not to put me in that role. Jeez.

>Going to the Terezin concentration camp, where so many Jews died, and weeping
>as I stood in the ruins of the crematorium there, I realized that I have to not
>allow myself to do anything that makes me want to die. That makes me feel dead
>inside.

This is a good thing. I'm glad that you had that experience. I'm glad you reached that conclusion.

What's problematic is the bad places you've allowed that conclusion to take you.

To: "Laura S. Brown" <lsbrown@comserve.com>
From: 7 - Name - Whistleblower Regarding Health Care Phoenix & 7 - Name - Wh...
Subject: Another reply to an earlier message of yours, after more thought
Cc:
Bcc:
X-Attachments:

>-OK. So are these about me now, in relationship to this whole mess? OR me,
>in general- like are there things that you and I have not dealt with in
>our relationship, prior to this impasse, that I need to hear about. Because
>I do. What I think I'm hearing, mostly, lately is that anything I do to/with 6 - Mental h...
>I do to/with you. And that you cannot separate these out.
>I also hear that how I am has been and continues to be extremely painful for
>you.-

This beginning to feel not so good. I'm beginning to get the feeling that you're setting me up here to label me "merged" with 6 - Mental h... A nice clinical entity, a nice pathology that you can point to in a textbook and use to brush me off.

But you're wasting your time. As I've been trying to tell you, 6 - Mental h... and I are NOT merged.

When you do shitty things, I respond to them. And you have invariably, without exception, blown off all my responses. It is MY feelings and MY responses you've been steadfastly ignoring. And my perceptions are based on facts. I observe a hell of a lot of what's happening to 6 - Mental h... and you discount it and try to make it disappear. And I observe a hell of a lot about what you're doing and you discount that too, and try to make it disappear.

It's never going to disappear, any of it.

First you told me that 6 - Mental h... had said and done horrible things to me and that I should realize that she had betrayed me. And you refused to ever own up to what you were doing and to the fact that what you had done was just plain MEAN.

Now you're trying to write me off with a DSM-IV diagnosis by saying that I'm merged with 6 - Mental h... And since I'm merged with her, I can't possibly have independent or accurate perceptions.....the implication being that 6 - Mental h... is bad since she's nuts to start with, and I'm being influenced by her.

This is downright insulting to me, Laura. And to 6 - Mental h...

I think you're gonna hang onto this tactic like a life preserver. It's your way out of having to face what you've done and are doing. It's your shield against facing that YOU'RE the one who's projecting all over the place, and that you have and still are behaving abominably toward 6 - Mental h...

So now, because I used "us" (big mistake, I should have made a separate sentence for her and for me even though in that particular case it applied to us both), have said it's "proof" that we are merged, and you "refuse" to hear about her any more.

It's just not going to work that way, Laura. I'm not going to let you get away with it.

Now you think that because you want 6 - Mental health... name out of this, you can demand that. Nope. You can't. If I'm trying to talk about my perceptions of you and what you're doing and it concerns her, I'm going to talk about her. And I'm going to keep that up until you finally listen to me and get what I'm saying....and can start to own some of the things you've done....and for the millionth time: clean up your mess.

Who started dumping all the shit about the third person here? Not me. You did, after you got back from Europe. You've been maligning her right and left. And that's what it is: you've been maligning her, not telling me your perceptions of her.

And now because I won't sit still for it, you want her name out of our conversations. It was sure OK to talk about her if you were trashing her, but not OK for me to defend her or tell you real things about her. You tried to manipulate me into breaking off my relationship with her to realign with you, and to make her the evil one to spoil my therapy.

Lord, Laura....where is your shame? It feels like it's no-holds-barred with you now. It feels like you'll stop at nothing in order to protect and preserve this false reality you've created for yourself.

This is very hard for me. I need for you to be accountable for the things you have done to me, and the things that you have forced me to witness you doing to 6 - Mental ...

And you can't separate these out. Not in your dreams.

>What is frustrating me beyond belief is that you will NOT credit my
>perceptions of you. MINE. Not 6 - Mental health... perceptions passed along through
>me. MINE.

>-then please make them about me with you, 7 - Name ... Most of what you tell me
>about is about me with 6 - Mental ... ,--

I tell you about how you impact me, period. It impacts me when you harm her, for all the reasons I've said, exhaustively, and repeatedly. Go back and read the other letters.

>-I do not see myself as absolved of responsibility here. I have to figure
>out how to be with that responsibility. I do not see this as about your
>pathology. It just feels like a tragedy, is what it feels like-

Supurb evasion.

>-It sounds like you're saying that there is no part of what is my reality
>that feels like anything except a defense to you.-

No. I am saying you are acting like you're on red alert, shields up, and I'm hailing you and you're not responding.

And it feels like you're trying to take over and govern MY reality....like you won't stop until I see things the way you do. And *I* won't stop until you take responsibility for what you have done to her AND to me. And if you try to pathologize that, it will be as deeply wrong as anything you have done. Maybe worse. Definitely worse.

>....Redemption, however, is not the
>same for everyone. I feel like you think you know what will redeem me,
>and I don't agree-

I see you wrecking my life and Loiusa's life and Paula's life and Olivia's life. I see you not wrecking Phoenix's life, but for damn sure making her miserable. And what I DON'T see is you showing ANY remorse ever. That's just not normal, Laura. It's eerie. It makes me feel like the Laura I knew for so many years has disappeared into this machine of destruction that you are now.

There is no redemption in that. There will never be redemption in that.

>So we will have to struggle with that. If it were as simple as doing as you ask to make >all well, don't you think I would have done that by now?

I never said it was simple. I said that you seem to have gone quite crazy and that it's time for you to realize that and to stop tormenting me and to stop tormenting 6 - Mental

How do you think you can get away with treating us in ways that are devoid of ethical constraints? Where did the ethics go, Laura? Why are we not worth being ethical with?

>But do look at how you wrote this; you and 6 - Mental h... as one entity. And
>that's what I'm not willing to accept.-

Well, like I said, I knew you'd take that to town after I wrote it. I slipped up and misspoke myself and there's no room for that here. I feel like I've got to really watch myself here. Anytime you see an opening, you take advantage of it to discredit me some more.

God, this whole thing sucks so much, Laura. You have become so bizarre that I'm wondering if maybe you're not even hard wired for compassion and empathy? I felt like you were compassionate and empathetic with me many times during my therapy, and now I have to wonder if you were just role-playing, and that makes me question everything.

Envelope-to: quimper@olympus.net

Delivery-date: Wed, 24 Jun 1998 06:33:58 -0700

Date: Wed, 24 Jun 1998 09:33:18 -0400

From: "Laura S. Brown" <lsbrown@compuserve.com>

Subject: Another reply to an earlier message of yours, after more thought

Sender: "Laura S. Brown" <lsbrown@compuserve.com>

To: 7 - Name - Whistleblower Regarding Health Care Provider or He...

MIME-Version: 1.0

One thing; no matter how hard this is, there is a place in me that feels so amazed and in awe of your clarity; your ability to push on me. I don't like what you say, and I do like that you have found this place to do this.

----- Forwarded Message -----

>-OK. So are these about me now, in relationship to this whole mess? OR me, >in general- like are there things that you and I have not dealt with in >our relationship, prior to this impasse, that I need to hear about. Because >I do. What I think I'm hearing, mostly, lately is that anything I do >to/with 6 - Mental h... >I do to/with you. And that you cannot separate these out. >I also hear that how I am has been and continues to be extremely painful for >you.-

This beginning to feel not so good. I'm beginning to get the feeling that you're setting me up here to label me "merged" with 6 - Mental h... A nice clinical entity, a nice pathology that you can point to in a textbook and use to brush me off.

But you're wasting your time. As I've been trying to tell you, 6 - Mental h... and I are NOT merged.

When you do shitty things, I respond to them. And you have invariably, without exception, blown off all my responses. It is MY feelings and MY responses you've been steadfastly ignoring. And my perceptions are based on facts. I observe a hell of a lot of what's happening to 6 - Mental h... and you discount it and try to make it disappear. And I observe a hell of a lot about what you're doing and you discount that too, and try to make it disappear.

-Ok. I'm not interestd in pathologizing you. It's about my experience on the receiving end of this exchange. I sense we both feel extremely unheard by the other one-

It's never going to disappear, any of it.

First you told me that 6 - Mental h... had said and done horrible things to me and that I should realize that she had betrayed me. And you refused to ever own up to what you were doing and to the fact that what you had done was just plain MEAN.

-It was mean. It was stupid of me. It was not a useful or right way to try to put a context around how I am-

Now you're trying to write me off with a DSM-IV diagnosis by saying that I'm merged with 6 - Mental h... And since I'm merged with her, I can't possibly have independent or accurate perceptions....the implication being that 6 - Mental h... is bad since she's nuts to start with, and I'm being influenced by her.

-None of the above. I think that each of us is influence powerfully by the other here-

This is downright insulting to me, Laura. And to 6 - Mental h...

I think you're gonna hang onto this tactic like a life preserver. It's your way out of having to face what you've done and are doing. It's your shield against facing that YOU'RE the one who's projecting all over the place, and that you have and still are behaving abominably toward 6 - Mental h...

-I'm not gonna discuss me with 6 - Mental h... that's between her and me. I do hear that what you see of it is horrifically painful to you and feels like a huge betrayal by me of everything I have been to you-

So now, because I used "us" (big mistake, I should have made a separate sentence for her and for me even though in that particular case it applied to us both), have said it's "proof" that we are merged, and you "refuse" to hear about her any more.

-I don't refuse to hear; I hear from her directly. And I want to keep it there, and am gonna-

It's just not going to work that way, Laura. I'm not going to let you get away with it.

Now you think that because you want 6 - Mental h... name out of this, you can demand that. Nope. You can't. If I'm trying to talk about my perceptions of you and what you're doing and it concerns her, I'm going to talk about her. And I'm going to keep that up until you finally listen to me and get what I'm saying....and can start to own some of the things you've done....and for the millionth time: clean up your mess.

-I am very involved in cleaning up this mess in the ways I know how and that I know to be possible for me right now. I get that you do not believe that I am doing this, given the present state of affairs-

Who started dumping all the shit about the third person here? Not me. You did, after you got back from Europe. You've been maligning her right and left. And that's what it is: you've been maligning her, not telling me your perceptions of her.

-ok. That's your experience of what I'm doing. I believe that it's not useful to share my experience of 6 - Mental h... with you, I think it adds to mess and not to clarity. So I will not do that-

And now because I won't sit still for it, you want her name out of our conversations. It was sure OK to talk about her if you were trashing her, but not OK for me to defend her or tell you real things about her. You tried to manipulate me into breaking off my relationship with her to realign with you, and to make her the evil one to spoil my therapy.

-NO. I truly don't want you to break off any relationship you have with her. Truly. I want to be seen in the context of my experiences. Since that can't happen, I can let that go, and own that my attempts to do so were poorly done, and had some creepy elements in them-

Lord, Laura....where is your shame? It feels like it's no-holds-barred with you now. It feels like you'll stop at nothing in order to protect and preserve this false reality you've created for yourself.

-only to protect my being alive. That's my main interest. I can't do anything if I'm not here, or the functional equivalent of that-

This is very hard for me. I need for you to be accountable for the things you have done to me, and the things that you have forced me to witness you doing to 6 - Mental h...

-I am very willing to be accountable to you about what has happened with

you. 7 - Name... No one has forced you to see anything about me and 6 - Mental h... You were invited to look. You kept looking, and have kept looking. I am willing to be accountable to you for how painful that has been for you, and for the fact that I did create your relationship to her-

And you can't separate these out. Not in your dreams.

>What is frustrating me beyond belief is that you will NOT credit my
>perceptions of you. MINE. Not 6 - Mental heal... perceptions passed along through
>me. MINE.

>-then please make them about me with you, 7 - Name ... Most of what you tell me
>about is about me with 6 - Mental ... -

I tell you about how you impact me, period. It impacts me when you harm her, for all the reasons I've said, exhaustively, and repeatedly. Go back and read the other letters.

-I think I feel angry that it doesn't similarly impact you that maybe my relating to her has hurt me. And that at that point I shut down to you talking about her. I feel horrid that I didn't protect you from this, and now cannot find a way to and save myself at the same time-

>-I do not see myself as absolved of responsibility here. I have to figure
>out how to be with that responsibility. I do not see this as about your
>pathology. It just feels like a tragedy, is what it feels like-

Supurb evasion.

-feels that way to you, I guess. It's what feels true to me-

>-It sounds like you're saying that there is no part of what is my reality
>that feels like anything except a defense to you.-

No. I am saying you are acting like you're on red alert, shields up, and I'm hailing you and you're not responding.

-I am on red alert, this is true. I don't trust my detectors and I need to rebuild them-

And it feels like you're trying to take over and govern MY reality....like you won't stop until I see things the way you do. And *I* won't stop until you take responsibility for what you have done to her AND to me. And if you try to pathologize that, it will be as deeply wrong as anything you have done. Maybe worse. Definitely worse.

-I am not interested in pathologizing you. Period.-

>....Redemption, however, is not the
>same for everyone. I feel like you think you know what will redeem me,
>and I don't agree-

I see you wrecking my life and Lolusa's life and Paula's life and Olivia's life. I see you not wrecking Phoenix's life, but for damn sure making her miserable. And what I DON'T see is you showing ANY remorse ever. That's just not normal, Laura. It's eerie. It makes me feel like the Laura I knew for so many years has disappeared into this machine of destruction that you are now.

-It's true that a big part of my core got burnt and destroyed. So your perceptions of something absent are accurate to that degree. I am trying to rebuild-

There is no redemption in that. There will never be redemption in that.

>So we will have to struggle with that. If it were as simple as doing as
>you ask to make >all well, don't you think I would have done that by now?

I never said it was simple. I said that you seem to have gone quite crazy
and that it's time for you to realize that and to stop tormenting me and to
stop tormenting 6 - Mental h...

-If I tried to do something before I could do it, as I have been
all spring, I will simply make more mess-

How do you think you can get away with treating us in ways that are devoid
of ethical constraints? Where did the ethics go, Laura? Why are we not
worth being ethical with?

-You are very worth being ethical with. I owe it to you to work on
this until we get to some point of resolution for you. What I do with
6 - Mental h... is between her and me-

>But do look at how you wrote this; you and 6 - Mental h... as one entity. And
>that's what I'm not willing to accept.-

Well, like I said, I knew you'd take that to town after I wrote it. I
slipped up and misspoke myself and there's no room for that here. I feel
like I've got to really watch myself here. Anytime you see an opening, you
take advantage of it to discredit me some more.

-Not to discredit. Just to say, I will deal with you as you, in the
context of what is happening-

God, this whole thing sucks so much, Laura. You have become so bizarre
that I'm wondering if maybe you're not even hard wired for compassion and
empathy? I felt like you were compassionate and empathetic with me many
times during my therapy, and now I have to wonder if you were just
role-playing, and that makes me question everything.

-I must be really scaring you bad. I'm sorry. Truly. Something did
break/burn and it's not had the chance to grow back-

Laura

To: Laura

From: 7 - Name - Whistleblower Regarding ... (Phoenix & 7 - Name...

Subject: Despair, again.....

Cc:

Bcc:

X-Attachments:

I'm hurting a lot and am very anxious about the note I sent you yesterday.

7 - Na...



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

November 4, 1998

7 - Name - Whistleblower Regarding Health Care Provid...

RE: Laura Brown, Ph.D.
Case No. 98-10-0004PY

Dear Dr. 7 - Name ~...

Your recent complaint regarding Laura Brown, Ph.D., has been referred to the Investigation Service Unit of the Department of Health, for investigation. The investigator that has been assigned to your complaint is:

Gary E. Reed, Supervising Investigator
Investigation Service Unit
P.O. Box 47872
Olympia, WA 98504-7872
Phone: (360) 664-9076 FAX: (360) 586-0123

Due to recently enacted legislation, RCW 43.70.075, regarding confidentiality, we ask that you read, sign and return the enclosed "Whistleblower Release Form" within fourteen (14) days after your receipt of this letter. A postage paid envelope has been included for your convenience. Thank you for your cooperation in this matter.

Respectfully,


Roxanne Bogart
Administrative Assistant

Enclosure: Whistleblower Release Form

000042



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

December 1, 1998

2ND REQUEST

7 - Name - Whistleblower Regarding Health Care Provi...

RE: Laura Brown, Ph.D.
Case No. 98-10-0004PY

Dear Dr. 7 - Name - ...:

Your recent complaint regarding Laura Brown, Ph.D., has been referred to the Investigation Service Unit of the Department of Health, for investigation. The investigator that has been assigned to your complaint is:

Gary E. Reed, Supervising Investigator
Investigation Service Unit
P.O. Box 47874
Olympia, WA 98504-7874
Phone: (360) 236-4658 FAX: (360) 586-0123

Due to recently enacted legislation, RCW 43.70.075, regarding confidentiality, we ask that you read, sign and return the enclosed "Whistleblower Release Form" within fourteen (14) days after your receipt of this letter. A postage paid envelope has been included for your convenience. Thank you for your cooperation in this matter.

Respectfully,

Roxanne Bogart
Administrative Secretary

Enclosure: Whistleblower Release Form

000043

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
WHISTLEBLOWER RELEASE FORM

RCW 43.70.075 provides in part: "The identity of a whistleblower who complains, in good faith, to the Department of Health about the improper quality of care by a health care provider, or in a health care facility, as defined in RCW 43.72.010 shall remain confidential..."

I understand that my identity is confidential pursuant to RCW 43.70.075 (DOH Whistleblower Statute). By signing this document, I waive my right to confidentiality and authorize the Department of Health to release my identity to Laura Brown, Ph.D., Respondent, to other persons who are reasonably necessary to the investigation, and for use in any subsequent administrative proceeding regarding my complaint. I understand that my identity will not be released for any other purpose.

APPROVAL OF CONFIDENTIALITY WAIVER

For the sole purpose of investigating my complaint and pursuing disciplinary/adverse action proceeding, I hereby waive confidentiality and consent to the release of my identity.

Signature: _____
Date: _____
Home Phone: _____
Day Phone: _____

DENIAL OF CONFIDENTIALITY WAIVER

I hereby deny my waiver of confidentiality and deny consent to release of my identity. I understand this denial may impair the Department of Health's ability to pursue disciplinary/adverse actions.

Signature: _____
Date: _____
Home Phone: _____
Day Phone: _____

CASE #: 98-10-0004PY

RESPONDENT: Laura Brown, Ph.D.

000044

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
WHISTLEBLOWER RELEASE FORM

RCW 43.70.075 provides in part: "The identity of a whistleblower who complains, in good faith, to the Department of Health about the improper quality of care by a health care provider, or in a health care facility, as defined in RCW 43.72.010 shall remain confidential..."

I understand that my identity is confidential pursuant to RCW 43.70.075 (DOH Whistleblower Statute). By signing this document, I waive my right to confidentiality and authorize the Department of Health to release my identity to Laura Brown, Ph.D., Respondent, to other persons who are reasonably necessary to the investigation, and for use in any subsequent administrative proceeding regarding my complaint. I understand that my identity will not be released for any other purpose.

APPROVAL OF CONFIDENTIALITY WAIVER

For the sole purpose of investigating my complaint and pursuing disciplinary/adverse action proceeding, I hereby waive confidentiality and consent to the release of my identity.

Signature: _____
Date: _____
Home Phone: _____
Day Phone: _____

DENIAL OF CONFIDENTIALITY WAIVER

I hereby deny my waiver of confidentiality and deny consent to release of my identity. I understand this denial may impair the Department of Health's ability to pursue disciplinary/adverse actions.

Signature: _____
Date: _____
Home Phone: _____
Day Phone: _____

CASE #: 98-10-0004PY

RESPONDENT: Laura Brown, Ph.D.

000045

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
WHISTLEBLOWER RELEASE FORM

RECEIVED
DEC 17 1998
DEPARTMENT OF HEALTH
Investigation Service Unit

RCW 43.70.075 provides in part: "The identity of a whistleblower who complains, in good faith, to the Department of Health about the improper quality of care by a health care provider, or in a health care facility, as defined in RCW 43.72.010 shall remain confidential..."

I understand that my identity is confidential pursuant to RCW 43.70.075 (DOH Whistleblower Statute). By signing this document, I waive my right to confidentiality and authorize the Department of Health to release my identity to Laura Brown, Ph.D., Respondent, to other persons who are reasonably necessary to the investigation, and for use in any subsequent administrative proceeding regarding my complaint. I understand that my identity will not be released for any other purpose.

APPROVAL OF CONFIDENTIALITY WAIVER

For the sole purpose of investigating my complaint and pursuing disciplinary/adverse action proceeding, I hereby waive confidentiality and consent to the release of my identity.

7 - Name - Whistleblower Regarding Health Care Provider or Health Care Facility - RCW 43.70.075(1), RCW 42.56.070(1)

Signature: _____

Date: 12-4-98

Home Phone: _____
7 - Name - Whistleblower Regarding Health...

Day Phone: 5498

DENIAL OF CONFIDENTIALITY WAIVER

I hereby deny my waiver of confidentiality and deny consent to release of my identity. I understand this denial may impair the Department of Health's ability to pursue disciplinary/adverse actions.

Signature: _____

Date: _____

Home Phone: _____

Day Phone: _____

CASE #: 98-10-0004PY

RESPONDENT: Laura Brown, Ph.D.

000046



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

November 4, 1998

Laura Brown, Ph.D.
4527 1st Avenue NE
Seattle, WA 98105

RE: 98-10-0004PY

Dear Dr. Brown:

The purpose of this letter is to inform you that the Board of Psychology of the Department of Health has received a complaint alleging unprofessional conduct on your part, as defined in RCW 18.130.180. The complaint alleges issues of incompetence, negligence or malpractice. This notice is being made in compliance with RCW 18.130.095.


RCW 18.130.050...THE UNIFORM DISCIPLINARY ACT... provides that the Board of Psychology of the Department of Health has the legislated authority to investigate complaints against health care providers. The complaint received against you has been reviewed and it has been determined that the allegations at issue fall within the jurisdiction of the Board of Psychology of the Department of Health. An inquiry will be conducted to gather the facts in this matter.

Pursuant to the Whistleblower Law, RCW 43.70.075, we are unable to give you the name of the complainant at this time, or provide information which would identify the complainant. You will be contacted as soon as practical during the investigation and this issue will be discussed as fully as possible, as allowed by law, so that you can adequately respond to the allegation (s). Your case is being assigned to the following investigator:

Gary E. Reed, Supervising Investigator
Investigation Service Unit
P.O. Box 47872
Olympia, WA 98504-7872
Phone: (360) 664-9076 FAX: (360) 586-0123

You may submit a written statement concerning the complaint at any time, to the investigator listed above. However, you may choose to wait until you are contacted by the investigator and the complaint has been discussed with you. This contact will be made after a confidentiality release has been received from the Complainant, if one is required. Any statements submitted will be placed in the complaint file. Thank you for your anticipated cooperation.


Respectfully,


Roxanne Bogart
Administrative Assistant

000047

MEMORANDUM

DATE: January 22, 1999

FROM: Gary E. Reed, Supervising Investigator 

TO: File #98-10-0004PY

SUBJ: Interview of Complainant 7 - Name - Whistleblo... M.D.

On 01-15-99, this investigator and investigator Mary Creeley interviewed the complainant, 7 - Name - Whistleblo... M.D., at her home, 4343 Haines St., Port Townsend, WA .

We went through the various sub divisions in the complaint letter, discussing each with the complainant to make certain the information was accurate and correct from her perspective. Note - the complainant was the respondent's patient for 9 years, and there was apparently no triangle or boundary problems until the respondent introduced 6 - Mental h... to the complainant.

The complainant says her relationship with the respondent as her therapist really did not change through the summer and fall of 1997. However, during 12-97 she states she began to have serious problems becoming suicidal for about 6 weeks. The complainant says she had to be put on med's by her family physician. The complainant indicates her relationship with 6 - Mental h... became painful because she was trying to force her into a mother role, which 6 - Mental h... did not wish to do. The complainant states 6 - Mental h... was not playing a therapist role however. She relates she talked with the respondent alot about 6 - Mental h..., and the respondent and 6 - Mental h... talked alot about her. Thus, the complainant states she was put in the middle between the respondent and 6 - Mental h.... She states the triangle was established and the boundaries began breaking down.

The complainant states she went to the respondent and told her she could not be a part of the triangle. She says she told the respondent she would continue to communicate with her and see her, but not as a therapist until she made things right with 6 - Mental h.... She says the respondent agreed to everything. Also, she says she made it clear to the respondent that she was not terminating her as her therapist, just taking a time out. This was at a regular appointment during mid 02-98. The complainant was no longer being treated by the respondent during tha latter part of 02-98.

Near the end of 02-98, the complainant says the respondent agreed to meet with 6 - Mental h... Phoenix (the complainant's partner) and herself. They met in the office of the respondent's partner Miriam (who was in Europe). The complainant states she and her partner stayed in another room while 6 - Mental h... and the respondent talked. Toward the end of the meeting the complainant also came into the room, and says they comforted the respondent. She says she was kind of acting as the respondent's therapist, and the respondent was depressed and talking about problems she was having with her partner Miriam.

000048

Also, the complainant says there was a lot of role reversal with her trying to help the respondent through e-mail conversations. She says the respondent was very mean to 6 - Mental h... who was suffering from PTSD. Then, the respondent went to Europe for 3 weeks. The respondent was going to contact the complainant upon her return from Europe, but did not, so the complainant e-mailed her. The respondent did not reply to the complainant, and she has had no contact with the respondent since that time. The complainant says the respondent has just dropped her as a patient with no closure, and she really would like to have the respondent back as her therapist.

We discussed the medicare issue and obtained calendars for the last 2 years listing each of the complainant's appointments with the respondent. Also, we obtained all the complainant's medicare statements for comparison.

GER


000049

APR 27 1999

DEPARTMENT OF HEALTH
INVESTIGATION SERVICE UNIT

7 - Name - Whistleblower Regarding Health Care Provider...

360-385-1011

quimpers@olympus.net

April 23, 1999

Gary Reed
Senior Health Care Investigator
Dept. of Health Investigation Service Unit
PO Box 47874
Olympia, WA 98504-7874

Dear Mr. Reed:

In organizing my records regarding Dr. Laura Brown, I have had the opportunity to review in detail some of the evidence that supports my complaint. I wanted to update you on some of the issues we have discussed. Please make sure these remarks are considered as an appendix to my complaint and in your consideration of the following violations:

1. Status of my complaint

I would appreciate receiving an update on the status of my complaint.

2. The issue of dual roles

Because Laura Brown was intermittantly so hostile toward ^{6 - Mental health information, Adul...} throughout the winter and spring of 1998, I anticipate that her complaint will reflect this same hostility and blame. I want to make very clear, therefore, that Dr. Brown promoted the dual relationship which I had with her. I had little choice in going along with her, given how impaired she was. I didn't see any way to get my therapist back other than to switch roles. I want to make clear that I was never acting under duress or pressure from Dr. ^{6 - Mental health inf...} to do any of the things that involved the multiple roles that Dr. Brown encouraged.

If her defense is that I am "too crazy" or disturbed to know the difference between my own will and ^{6 - Mental health information, Adults - L...} or to know the "facts" about events between us, then I would be very willing to have someone do a psychological assessment of me; to talk to the Board, or even to take a polygraph test if that is something you ever do in investigations. I am quite clear about all the events I have described to you, and I also have ample proof for much of it.

3. Abandonment

Another violation which I am concerned she will misrepresent precisely because it is so obviously unethical, is that of the lack of termination. This was one of the most harmful of the things she did to me, which left the most confusion and pain, and I want to be absolutely clear with you that there was never any termination of any kind. There was never a phone call in which termination was mentioned. There was never a letter. There was never an email. Even if she were to say it was for my "welfare" to terminate me after she destroyed all her boundaries with me, she didn't do anything in the way of a termination process. We had a nine year relationship, and she just plain dumped me.

She was way too erratic, unpredictable, and emotionally wrapped up in her problems for us to do anything much but talk about her. There was no room for any "therapy" kind of talk about me or my needs or issues. It was that way for months. The email I gave you makes that very obvious.

000050

**DEPARTMENT OF HEALTH
HEALTH PROFESSIONS QUALITY ASSURANCE DIVISION**

**CONFIDENTIAL INVESTIGATION REPORT
PREPARED FOR THE
EXAMINING BOARD OF PSYCHOLOGY**

Case # 99-02-0006PY

RESPONDENT: Brown, Laura S.

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APPENDIX F - POSSIBLE VIOLATIONS

APPENDIX G - ACTIVITY REPORT

APPENDIX H - SUMMARY OF PREVIOUS CASES

APPENDIX I - REQUEST FOR INVESTIGATION

**Jeffrey O. Yoshinaka
Health Care Investigator**

APPROVED BY



DATE

02-15-2000

APPENDIX A

RESPONDENT INFORMATION

NAME: Brown, Laura S.

BUSINESS ADDRESS: N/A

BUSINESS TELEPHONE #: Not Listed.

RESIDENCE ADDRESS: 4527 1st Avenue NE
Seattle, Washington 98105

RESIDENCE TELEPHONE #: Not Listed.

LICENSE NUMBER: PY615

DATE ISSUED: 01/09/79

EXPIRATION DATE: 12/24/99

BIRTH DATE: 12/24/52

SPECIALIZATION: N/A

PREVIOUS COMPLAINT HISTORY: Four complaints: 2 in 1988, 1 in 1990, 1 in 1998. All closed.

ATTORNEY IDENTIFICATION: James E. Lobsenz

APPENDIX B

COMPLAINANT INFORMATION

NAME: 6 - Mental health information, Adul...

BUSINESS ADDRESS: N/A

BUSINESS TELEPHONE #: N/A

RESIDENCE ADDRESS: 6 - Mental health information, Adults - Information and records ...

RESIDENCE TELEPHONE #: N/A.

ATTORNEY: N/A.

ATTORNEY ADDRESS: N/A.

ATTORNEY TELEPHONE #: N/A.

APPENDIX C

CONTACT LIST

1. Complainant.
2. Respondent.
3. Arthur Peskind, Ph.D.
3609 South 19th Street
Tacoma, Washington 98405
253.752.6056
4. Raegen N. Rasnic, Attorney
Skellenger Bender
1301 Fifth Avenue, Suite 3401
Seattle, Washington 98101-2605
206.623.6501
5. James E. Lobsenz, Attorney
Carney, Badley, Smith, & Spellman
701 Fifth Avenue, Suite 2200
Seattle, Washington 98104-7091
6. Jeffrey O. Yoshinaka, Investigator
ISU/Dept of Health
PO Box 47874
Olympia, Washington 98504-7874
360.236.4654

APPENDIX D

GENERAL SUMMARY

Allegation:

The complainant stated the respondent referred her to Arthur Peskind, Ph.D., for her anxiety/panic disorder. She alleges the referral was inappropriate with her history of physical and sexual abuse, given her knowledge of Dr. Peskind's previous disciplinary action for sexual contact. The complainant also stated she contacted the respondent with numerous complaints about Dr. Peskind's behavior. She said the respondent attempted to resolve the issues between them with no success. The complainant alleges the respondent was not objective in her attempts to resolve the issues based upon her previous supervisory relationship with Peskind.

Complainant Interview:

The complainant stated the respondent was an expert witness who was hired by her attorney in a malpractice lawsuit she had filed against a therapist group, Passages. She said the respondent subsequently referred her to Dr. Arthur Peskind (99-02-0005PY) for her panic disorder. The complainant added she had no treatment relationship with the respondent.

The complainant described her treatment with Dr. Peskind as intermittent, as there were three periods of treatment. The complainant said she became concerned with Dr. Peskind's behavior as she felt he made inappropriate "sexualized" and personal comments. She said she subsequently contacted the department, and became aware of the disciplinary action previously taken by the department against Dr. Peskind. The complainant added the respondent did not inform her of the respondent's prior disciplinary action. Evidence Pages 001-006

The complainant said the respondent should have known the professional relationship between them ended after the lawsuit ended, and that she and the respondent should not have continued to discuss her treatment and progress. The complainant said she instructed Dr. Peskind not to discuss her treatment plan or progress with anyone following the conclusion of the lawsuit.

The complainant said she initiated a series of telephone calls to the respondent re: the inappropriate behavior of Dr. Peskind, and that she later began to correspond with her via email. During this period of communication, the complainant said she provided the respondent with a list of the respondent's inappropriate behaviors. She stated the respondent confronted Dr. Peskind re: the items on her list, and that he had admitted his inappropriateness to some and offered explanations for others. She said the respondent attempted to "make amends" between them, however, there was no resolution. The complainant said the respondent later admitted to a lack of objectivity. Evidence Pages 007-032, 033-035

Collateral Interview:

On December 22, 1999, Arthur Peskind, Ph.D., was interviewed in the presence of his attorney, Raegen N. Rasnic, Law Offices of Skellenger Bender, in Seattle, Washington.

Dr. Peskind stated the complainant was referred to him from Laura Brown, Ph.D., who conducted an evaluation of the complainant for a lawsuit filed by the complainant against Passages, a therapist group.

The Dr. Peskind said the complainant was primarily treated for an anxiety/panic, and rage disorders. He added treatment was more difficult than expected due to multiple issues. Dr. Peskind described the complainant as an individual with multiple personality disorders, and said a significant portion of her disorder was narcissism, complicated by borderline personality disorders of intense anger, impulsivity, and interpersonal exploitation.

Dr. Peskind also stated distortion of the facts was another major issue. It was his opinion that the complainant's misperception of person's roles was a significant problem, and was a source of anxiety for the complainant. He recalled the complainant becoming frustrated and angry concerning her expectations of Ms. Thomas, therapists, instructors, and attorneys.

Dr. Peskind stated he employed a cognitive/behavioral approach to reduce her anxiety/panic, and rage. He said the respondent was very clear she did not want him to communicate with a concurrent therapist, Rosalie Thomas, and that he maintained her confidentiality. Dr. Peskind noted that the complainant frequently expressed her frustration with Ms. Thomas, and on occasion accused him of "sticking up" for her. He also said after his period of supervision by Laura Brown, Ph.D., he continued to have her monitor and review his sessions with the complainant. He said, during this period, he continued to consult with Brown, and found the consultations helpful. Dr. Peskind added the complainant was informed of the consultations from the beginning, and did not object.

Respondent Interview:

On February 3, 2000, the respondent was interviewed in the presence of her attorney, James E. Lobsenz, in Seattle, Washington. The respondent was provided with a copy of the email submitted by the complainant for her review. Evidence Pages 036-038, 039, 040-041, 042-043, 044-047.

The respondent stated that at no time did she have a treatment relationship with the complainant. She said she was hired by the complainant's attorney as a consultant and conducted an evaluation of the complainant for her lawsuit against a therapist group, Passages.

The respondent stated during the period she supervised Dr. Peskind, she randomly reviewed taped sessions with his clients, and had meetings with him to discuss his work. She said she felt comfortable in the changes in his behavior, and respected his skills. At the termination of his supervision, she said they maintained contact, and she acted as a consultant to Dr. Peskind.

The respondent said she referred the complainant to Dr. Peskind for two reasons. She said she believed Dr. Peskind to be skillful in the treatment of anxiety disorders, and because he was easily accessible by the complainant. The respondent stated she did not inform the

complainant of Dr. Peskind's previous disciplinary action, because she believed it was unnecessary. The respondent did state at the time of referral, she informed the complainant of her role as a consultant to Dr. Peskind, and that they had frequently consulted. She did not recall the complainant objecting to her role, or telling her not to consult with Dr. Peskind. She also did not recall the complainant informing Dr. Peskind not to have any contact with Dr. Rosalee Thomas. The respondent noted that if she had known of this restriction, she would not have referred the complainant to Dr. Peskind or any other treatment provider as communicating and coordinating treatment plans between multiple providers is an important element. She added that if she was aware that the complainant sought treatment from Dr. Peskind, she would have advised him not to accept her based upon this restriction.

The respondent said the complainant contacted her by telephone frequently. The topic of these conversations was primarily complaints about the therapists the complainant was seeing. She identified these therapists as Art Peskind, Rosalee Thomas, Audrey Glenn, and Rick Jensen. The respondent recalled many of the complaints were about Dr. Peskind and Dr. Thomas. Based upon the nature of the conversations, the respondent said her efforts were mostly managing complaints. The respondent recalled that initially many of the complaints were directed at Dr. Thomas, however, were later directed at Dr. Peskind. She remarked that on occasion, the complainant would complain about Doctors Peskind and Thomas in the same conversation. The respondent said she considered herself to be a "consultant to the process of therapy", and allowed the complainant to ventilate. The respondent added since she did not have a treatment relationship with the complainant, she did not maintain any notes or records other than the email correspondence. She went on to say that the email she maintained is limited because her computer had "crashed" recently.

Regarding the conversations of Dr. Peskind's inappropriate behavior, the respondent recalled the complainant initially being very upset, but providing only limited information. She said the complainant began to verbalize the incidences of inappropriate behavior, and put them in the form of email. The respondent said she was very concerned about the "sexualized" and personal comments as related by the complainant, and confronted Dr. Peskind immediately. She recalled that Dr. Peskind was very upset over the allegations, and called her on several occasions to discuss them.

The following are the responses to the respondent by Dr. Peskind:

- ◆ The respondent stated the complainant told her Dr. Peskind called her "fat" in a conversation. She recalled the word was used initially by the complainant, and that Dr. Peskind used the word to reflect back what the complainant had said.
- ◆ The respondent did not recall Dr. Peskind offering the complainant free medication. She said Dr. Peskind informed her that often sample medication is available, and that he could assist her in finding a provider to obtain them.
- ◆ Regarding the "sexualized comments", the respondent said she did not recall discussing the complaint about dirty jokes, or sexual activities.

- ◆ Re: the pornographic movies, and other "sexualized" comments, the respondent said she had only a vague recollection. She recalled the topics and comments of Dr. Peskind were generally in response to comments or discussions the complainant initiated.
- ◆ Recalled that there was no sexual inference re: the term "seduction".
- ◆ Recalled Dr. Peskind saying Sydney Royer was "attractive".

The respondent stated she attempted to resolve the conflict between the complainant and Dr. Peskind. She felt that since Dr. Thomas was a secondary source of the complainant's complaints, she should also be involved. It was the respondent's intention to establish a meeting with the complainant, Dr. Peskind, and Dr. Thomas to address and resolve the issues, however, it did not occur. The respondent said, during the latter part of this process, she learned the complainant wanted "amends" in the form of money from Dr. Peskind.

The respondent stated in conversations with the complainant, the complainant informed her that Dr. Peskind should also be afraid. It was her understanding that the complainant's goal was the revocation of Dr. Peskind's license.

The respondent stated she attempted to support the complainant as much as possible. Based upon her communications with the complainant and Dr. Peskind, she believes Dr. Peskind did make some "low end errors in clinical judgment". She explained this by saying Dr. Peskind's choice of words and phrases were subject to misinterpretation given the history of the complainant.

APPENDIX E

EVIDENCE & ATTACHMENTS

<u>Page #'s</u>	<u>Description</u>
001-005	Complaint information.
006	Whistleblower Release Form
007-012	Email between the complainant and respondent. Subject: "no subject".
013-014	Email between the complainant and respondent. Subject: "????????????".
015-024	Email between the complainant and respondent. Subject: "Rosalies so called seduction".
025	Email between the complainant and respondent. Subject: "Re: Art Peskind".
026-030	Email between the complainant and respondent. Subject: "More Questions???".
031-032	Email between the complainant and respondent. Subject: "A message from <small>6 - Mental health informatio...</small>
033-035	Agency correspondence to complainant.
036-038	Respondent's statement.
039	Confirmation of interview with respondent and attorney.
040-041	Cover letter with Notice of Appearance.
042-043	Respondent's ASI printouts.
044-047	Agency correspondence to respondent.

APPENDIX F
POSSIBLE VIOLATIONS

To be determined by program.

APPENDIX G
ACTIVITY REPORT

1. 03/24/99 Received telephone call from respondent. Reviewed & discussed case & process.
2. 05/21/99 Discuss with G.Reed, who has collateral case involving US H&HS.
3. 06/04/99 Discuss with M. Creeley. She will assist.
4. 08/09/99 Conduct file review, & set up case file.
5. 08/10/99 Interviewed complainant.
6. 08/11/99 Reviewed notes. Telephone conversation with Rosalee Thomas, complainant therapist on PTSD.
7. 10/08/88 Draft and mail 14 day letter
8. 10/20/99 Returned telephone call to respondent. Wanted extension until mid Nov. She and attorney out of town. Extension 11/24/99.
9. 11/30/99 Contacted attorney Jim Lobsenz. Stated he has been out of town Oct and Nov. When he returned his client was out of town. Asked for extension, and given until Dec 17th.
10. 01/06/2000 Call to attorney, J. Lobsenz, Seattle, to set appointment for interview. Left message to contact me.
11. 01/07/2000 Begin writing report.
12. 01/10/2000 Called attorney J. Lobsenz Seattle, again to schedule appointment. Left message to contact me.
13. 01/14/200 J. Lobsenz returns call. Interview set for 02/03/2000 at 2pm, Seattle.
14. 01/20/2000 Reviewed collateral case with M. Gilbert.
15. 02/02/2000 File review and prepare questions for interview.
16. 02/03/2000 Seattle: Interview of respondent at attorney's office.
17. 02/08/2000 Review and resume writing report.
18. 02/09/200 Continue working on report.

99-02-0006PY / Brown, Laura S.

19. 02/11/2000 Complete and review report.
20. 02/15/2000 Revise and update report.

APPENDIX H

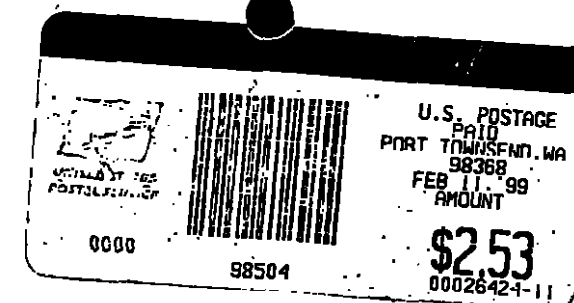
SUMMARY OF PREVIOUS CASES

1. 88-02-0179 Closed.
2. 88-06-0175 Closed.
3. 90-11-0040 Closed.
4. 98-01-0002 CNA3.
5. 98-10-0004 FDINVT.

APPENDIX I

REQUEST FOR INVESTIGATION

The complainant stated the respondent referred her to Arthur Peskind, Ph.D., for her anxiety/panic disorder. She alleges the referral was inappropriate with her history of physical and sexual abuse, given her knowledge of Dr. Peskind's previous disciplinary action for sexual contact. The complainant also stated she contacted the respondent with numerous complaints about Dr. Peskind's behavior. She said the respondent attempted to resolve the issues between them with no success. The complainant alleges the respondent was not objective in her attempts to resolve the issues based upon her previous supervisory relationship with Peskind.

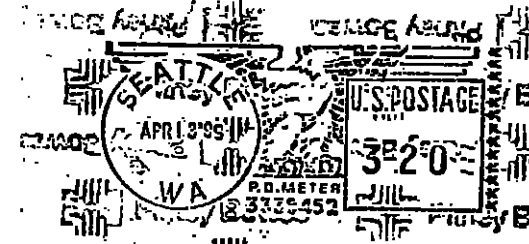


RECEIVED
FEB 12 1999
DEPARTMENT OF HEALTH
INVESTIGATION SERVICE UNIT

CONFIDENTIAL
+ PERSONAL
TO MR. REED
ONLY

GARY REED
SENIOR HEALTH INVESTIGATOR
DEPT. OF HEALTH, INVESTIGATION SERVICE UNIT
PO Box 47874
OLYMPIA, WA 98504-7874

CONFIDENTIAL & PERSONAL TO MR REED

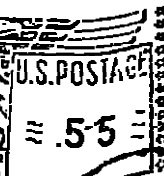
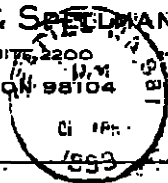
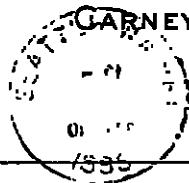
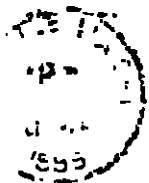


FIRST CLASS MAIL

CARNEY BADLEY SMITH & SPELLMAN, P.S.
701 FIFTH AVENUE, SUITE 2200
SEATTLE, WASHINGTON 98104

TO

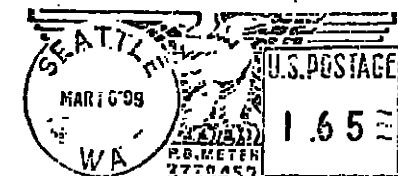
Mr. Gary Reed
Supervising Investigator
Department of Health
PO Box 47874
Olympia WA 98504-7874



GARNEY BADLEY SMITH & SPELMAN P.S.
701 4TH AVENUE, SUITE 2200
SEATTLE, WASHINGTON 98104

TO

Mr. Gary Reed
Supervising Investigator
Department of Health
PO Box 47874
Olympia WA 98504 7874



First Class Mail
First Class Mail

CARNEY BADLEY SMITH & SPELLMAN, P.S.

701 FIFTH AVENUE, SUITE 2200
SEATTLE, WASHINGTON 98104

TO

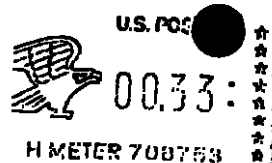
Mr. Gary Reed
Supervising Investigator
Department of Health
Investigations Service Unit
P.O.Box 47874
Olympia, WA 98504-7874

**CARNEY
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SEATTLE, WA 98104-7091

Mr. Gary Reed
Supervising Investigator
Department of Health
P.O.Box 47874
Olympia, WA 98504-7874



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SEATTLE, WA 98104-7091

Mr. Gary E. Reed
Department of Health
Investigations Service Unit
1112 SE Quince
Olympia WA 98504

|||||

- ☐ Respondent Notification Letter
☐ AFH/NHA Notification Letter
☐ Malpractice Settlement Letter

- ☐ Complainant Notification Letter
☐ Whistleblower

Date received: 1/3/00
Date assigned: 1/3/2000
Investigator: Reed
Priority: 1

Comments: Need an extension

2 227 073 539

US Postal Service

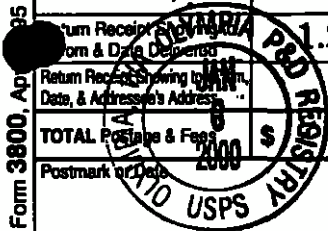
Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to Laura S. Brown	
Street & Number 4527 1st Ave NE	
Post Office, State, & ZIP Code Seattle WA 98105	
Postage	\$.33
Certified Fee	1.40
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing Form & Date Delivered	1.25
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 2.98
Postmark or Date	2000

PS Form 3800, Apr 95



7874

Stick postage stamps to article to cover First-Class postage, certified mail fees, and charges for any selected optional services (See front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (no extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, write to post office. Endorse front of article RETURN RECEIPT REQUESTED adjacent to no number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on front of article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make an inquiry.

102595-99-M-2017

PS Form 3800, April 1995 (Reverse)

RECEIVED

JAN 07 2000

DEPARTMENT OF HEALTH
INVESTIGATION SERVICE UNIT

BROWN, LAGRA 98100004PY SEGMENT 002 PAGE 88

Z 227 073 L19

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to

James E. Hobsenz

Street & Number

701 5th Ave, Ste 2200

Post Office, State, & ZIP Code

Seattle, Wa. 98104-7091

Postage

\$

Certified Fee

.33

Special Delivery Fee

1.40

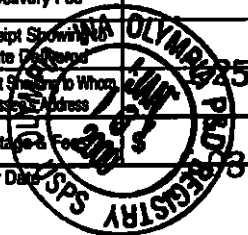
Restricted Delivery Fee

Return Receipt Showing
Whom & Date DeliveredReturn Receipt Showing to Whom
Date, & Address

TOTAL Postage & Fees

Postmark or Date

PS Form 3800, April 1995



Stick postage stamps to article to cover First-Class postage, certified mail fees and charges for any selected optional services (See front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (no extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.

3. If you want a return receipt with the certificate number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article RETURN RECEIPT REQUESTED and certificate number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make an inquiry.

102595-99-M-2017

BROWN, R. A. 98100004PY SEGMENT 002 PAGE 90

PS Form 3800, April 1995 (Reverse)

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
US
Permit No. G-10

- Sender: Please print your name, address, and ZIP+4 in this box •

DEPARTMENT OF HEALTH
INVESTIGATION SERVICE UNIT
PO BOX 47874
OLYMPIA, WA 98504-7874

RECEIVED

JAN 10 2000

Attn: Reed

DEPARTMENT OF HEALTH
INVESTIGATION SERVICE UNIT



BROWN, LAURA 98100004PY SEGMENT 002 PAGE 91

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

James E. Lobsenz
701 5th Ave, Ste 2200
Seattle, Wa. 98104-7091

#98-10-0004 PY

2. Article Number (Copy from service label)

2 227 073 619

PS Form 3811, July 1999

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Print Clearly) B. Date of Delivery

JAN 07 2000

C. Signature

x Mary Lobsenz

☐ Agent
☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

Domestic Return Receipt

102595-99-14-1789

BROWN, LAURA 98100004PY SEGMENT 002 PAGE 92

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
US
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

DEPARTMENT OF HEALTH
INVESTIGATION SERVICE UNIT
PO BOX 47874
OLYMPIA, WA 98504-7874

RECEIVED

JAN 10 2000

Attn: Reed

DEPARTMENT OF HEALTH
INVESTIGATION SERVICE UNIT



SENDER: COMPLETE THIS SECTION

- Complete items 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Laura S. Brown
4527 1st Ave NE
Seattle, WA 98105

98-10-0004PY

2. Article Number (Copy from service label)

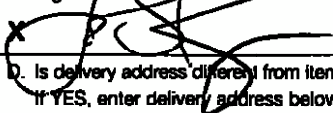
2227 073 539

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Print Clearly) B. Date of Delivery

JAN - 8 2000

C. Signature



- ☐ Agent
☐ Addressee

D. Is delivery address different from item 1?
If YES, enter delivery address below:

- ☐ Yes
☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

- ☐ Yes

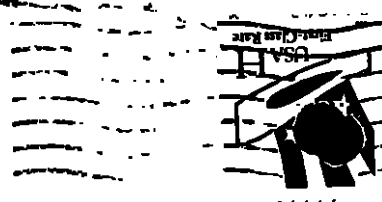


GARY REES
SENIOR HEALTH CARE INVESTIGATOR
~~THE~~ PO BOX 47874
OLYMPIA, WA 98504 - 7874

38304/7874



6 - Mental health information, Adults - Information and records compiled, obtained, or maintained in the course of providing mental health services to voluntary or involuntarily

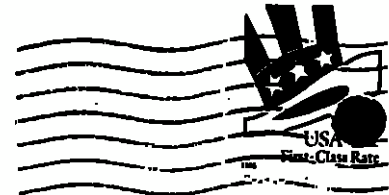


GARY REED
DEPT. OF HEALTH INVESTIGATION SERVICE UNIT
PO BOX 47874
OLYMPIA, WA 98504



S. Mitchell

4343 HAINES
PORT TOWNSEND, WA
98368



Gary Reed
Department of Health
Investigation Service Unit
1112 SE Quince Street
PO Box 47874
Olympia, WA 98504-7874

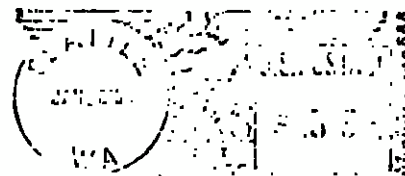
98504-7874



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701 FIFTH AVENUE, SUITE 2200
SEATTLE, WA 98104-7091



Mr. Gary Reed
Supervising Investigator
Department of Health
Investigations Service Unit
PO Box 47874
Olympia WA 98504-7874

98504-7874



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SEATTLE, WA 98104-7091



**Mr. Gary Reed
Supervising Investigator
Department of Health
PO Box 47874
Olympia WA 98504-7874**

98504-7874



ORDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
 - Print your name and address on the reverse of this form so that we can return this card to you.
 - Attach this form to the front of the mailpiece, or on the back if space does not permit.
 - Write "Return Receipt Requested" on the mailpiece below the article number.
 - The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Laura Brown, Ph.D.
 4527 1st Ave. NE
 Seattle, WA 98105

4a. Article Number

P 583 976 839

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

1-27-93

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)



UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

DEPARTMENT OF HEALTH
INVESTIGATION SERVICE UNIT
PO BOX 47874
OLYMPIA, WA 98504-7874

Attn: Gary

RECEIVED
JAN 29 1999
DEPARTMENT OF HEALTH
INVESTIGATION SERVICE UNIT



BROWN, LAURA 98100004PY SEC 002 PAGE 101

4343 HAINES
PORT TOWNSEND, WA
98368



OLY P&DF, WA. 02:58:12 PM 12/05/98

BUSINESS REPLY MAIL

FIRST-CLASS MAIL

PERMIT NO. 9

OLYMPIA WA

POSTAGE WILL BE PAID BY ADDRESSEE

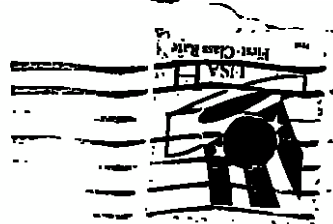
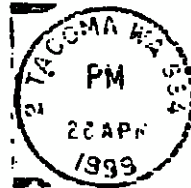
DEPARTMENT OF HEALTH
INVESTIGATION SERVICE UNIT
PO BOX 47874

OLYMPIA WA 98599-7874



BROWN, LAURA 98100004PY SEGMENT 002 PAGE 102

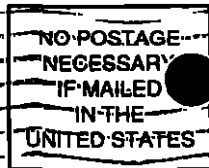
Attn: Gary



GARY REGO
SENIOR HEALTH CARE INVESTIGATOR
DEPT. OF HEALTH INVESTIGATION SERVICES UNIT
PO Box 47874
OLYMPIA, WA 98504-7874

98504+7074





BUSINESS REPLY MAIL

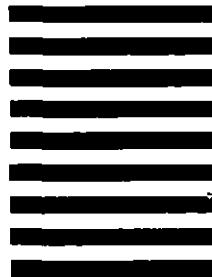
FIRST-CLASS MAIL

PERMIT NO. 9

OLYMPIA WA

POSTAGE WILL BE PAID BY ADDRESSEE

DEPARTMENT OF HEALTH
INVESTIGATION SERVICE UNIT
PO BOX 47874
OLYMPIA, WA 98504-7874



Attn: Jebb



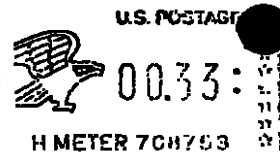
BROWN, LAURA 98100004PY SEGMENT 002 PAGE 104

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A PROFESSIONAL SERVICE CORPORATION

701 FIFTH AVENUE, SUITE 2200
SEATTLE, WA 98104-7091

**Mr. Jeffrey Yoshinaka
Investigator
Post Office Box 47872
Olympia, WA 98504-7872**

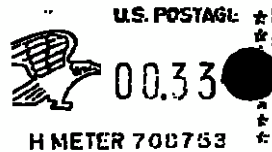


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A PROFESSIONAL SERVICE CORPORATION

701 FIFTH AVENUE, SUITE 2200
SEATTLE, WA 98104-7091

Mr. Jeffrey Yoshinaka
Investigator
Post Office Box 47872
Olympia, WA 98504-7872



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**701 FIFTH AVENUE, SUITE 2200
SEATTLE, WA 98104-7091**

**Mr. Jeff Yoshinaka
Investigator
Department of Health
Investigations Service Unit
Post Office Box 47874
Olympia WA 98504-7874**



Case Information Cover Sheet

[Please complete the appropriate section(s)]

1. Docket Number: 99-12-A-1016PY

Respondent Name: Laura S. Brown	Today's Date: 02/11/02
Address: 4527 1 st Avenue NE	Program Manager: Janice Boden
Seattle, WA 98105	Staff Attorney: Margaret J. Gilbert
Respondent Attorney: James E. Lobsenz	AAG: Kim O'Neal
Address: 701 Fifth Ave. Ste. 2200	Charging Panel:
Seattle, WA 98104-7091	Compliance Person: Janice Boden
Reviewing Bd/Comm Member: Barber	Cc: Susan Myers

2. Document(s) Being Filed: (originals)

- | | |
|--|---|
| <input type="checkbox"/> SOC/Notice of Intent to Deny & Proof of Service | <input type="checkbox"/> Legislatively Mandated Suspensions
(self-executing order) |
| <input type="checkbox"/> Motion for Summary Action & SOC packet
(Summary action order hard copy & disc) | <input type="checkbox"/> Original SOA and Copy of Stipulated Order |
| <input type="checkbox"/> Notice of Intent to Order Investigative Physical or
Psychological Examination | <input checked="" type="checkbox"/> Original signed Stipulated/Agreed Order |
| <input type="checkbox"/> BAP Initial Order and Record | <input type="checkbox"/> Final Order on Default |
| <input type="checkbox"/> Other: | |

3. Proposed Timeline Criteria: (Estimated at time of charging)

NOTE: The proposed criteria listed below are intended to provide a means for the Program to provide input on scheduling at the time of charging. They are not intended as a final decision on scheduling, and may be subject to change based upon receipt of an answer from the Respondent. For more complete instructions, please see NOTES on the back of this form.

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> 4 months
Admission of guilt; 1
charge
Noncompliance
Application denial
Action in another
jurisdiction | <input type="checkbox"/> 5 months
One straight-forward issue
(e.g. 1 charge of diversion) | <input type="checkbox"/> 6 months
Multiple charges
Practice issues
Convicted; Multiple
charges | <input type="checkbox"/> 9 months
Multiple, complex,
technical issue
Multiple parties, complex
issues
(e.g. Most Certificate of
Need cases; Complex
practice issues) |
|---|--|---|--|

☐ Other: _____

4. Special Instructions/considerations:

- | | |
|---|---|
| ◆ # of anticipated hearing days: _____ | ◆ Translator/Interpreter Needed: <input type="checkbox"/> Yes <input type="checkbox"/> No |
| ◆ Use pre-set hearing dates: <input type="checkbox"/> Yes <input type="checkbox"/> No | ◆ Need special hearing dates: <input type="checkbox"/> Yes <input type="checkbox"/> No |

FOR USE BY CLERK OFFICE ONLY

◆ Hearing date: _____

◆ Other: _____

**STATE OF WASHINGTON
DEPARTMENT OF HEALTH
EXAMINING BOARD OF PSYCHOLOGY**

In the Matter of the License to Practice as
a Psychologist of

LAURA S. BROWN, Ph.D.,
Credential No. PY00000615,

Docket No. 99-12-A-1016PY

**STIPULATED FINDINGS OF FACT,
CONCLUSIONS OF LAW AND AGREED
ORDER**

The State of Washington, Department of Health (Department), and the Examining Board of Psychology (Board), by and through Christine O. Gregoire, Attorney General and Robert C. Hargreaves, Assistant Attorney General, and Laura S. Brown, Ph.D., Respondent, by and through Carney Badley Smith & Spellman, P.S. and Kenneth S. Kagan, Attorneys at Law, stipulate and agree to the following:

Section 1: PROCEDURAL STIPULATIONS

- 1.1 Laura S. Brown, Ph.D., Respondent, was issued a license to practice psychology in the State of Washington in January 1979.
- 1.2 On November 29, 2001, the Board issued a Second Amended Statement of Charges against Respondent.
- 1.3 The Second Amended Statement of Charges alleges that Respondent violated RCW 18.130.180(4), (7); WAC 246-924-354, -356, -357, -359(2), -363(1).
- 1.4 Respondent understands that the Department is prepared to proceed to a hearing on the allegations in the Second Amended Statement of Charges.
- 1.5 Respondent understands that she has the right to defend herself against the allegations in the Second Amended Statement of Charges by presenting evidence at a hearing.
- 1.6 Respondent understands that, should the Department prove the allegations in the Second Amended Statement of Charges at a hearing, the Board has the power and authority to impose sanctions pursuant to RCW 18.130.160.

STIPULATED FINDINGS OF FACT,
CONCLUSIONS OF LAW & AGREED ORDER

ORIGINAL

1.7 Respondent and the Board agree to expedite the resolution of this matter by means of these Stipulated Findings of Fact, Conclusions of Law, and Agreed Order (Agreed Order).

1.8 Respondent waives the opportunity for a hearing on the allegations in the Second Amended Statement of Charges, contingent upon signature and acceptance of this Agreed Order by the Board.

1.9 This Agreed Order is not binding unless and until it is signed and accepted by the Board.

1.10 Should this Agreed Order be signed and accepted it will be subject to the reporting requirements of RCW 18.130.110, the requirements of Section 1182E of the Social Security Act (65 CFR, Part 61), and any other applicable interstate/national reporting requirements.

1.11 Should the Board reject this Agreed Order, Respondent waives any objection to the participation at hearing of all or some of the Board members who heard the Agreed Order presentation.

Section 2: STIPULATED FACTS

The Department and Respondent stipulate to the following facts:

2.1 Laura S. Brown, Ph.D., Respondent, was issued a license to practice as a psychologist in the State of Washington in January 1979.

2.2 In approximately February 1995, Respondent entered into a forensic consultation relationship with an individual who then resided in Georgia. Thereafter, in approximately November 1996, Respondent entered into a colleague relationship with this individual (Colleague A).

2.3 When Colleague A discussed a contemplated relocation from Georgia to the Pacific Northwest, Respondent subsequently suggested that Colleague A consider several locations in the State of Washington, including Port Townsend. To that end, Respondent put Colleague A in touch with one of Respondent's clients, Client B, who

lived in Port Townsend, Washington, for the purpose of Client B serving as an information resource to Colleague A. Respondent had been providing therapy to Client B since July 1989. Respondent obtained Client B's consent before putting Colleague A and Client B in touch with each other.

2.4 During the spring of 1997, Colleague A and Client B corresponded and met with each other, and became close friends. Colleague A then moved to Port Townsend in late June 1997.

2.5 In the summer of 1997, Client B began using her therapy sessions and e-mail exchanges with Respondent to address problems she was having in her relationship with Colleague A. These problems persisted at least into early 1998. Respondent held a number of joint sessions with Client B and Colleague A during this time frame.

2.6 In late February, 1998, Respondent attempted to break off the relationship with Colleague A. When she did so, Colleague A pressured Respondent, via Client B, to continue their relationship. In the three months during which Respondent attempted to resolve this conflict, Respondent shared some of her own personal problems with Client B, to include problems Respondent was having in her own relationship with Colleague A. This self-disclosure occurred outside the confines of therapy sessions.

2.7 Respondent disclosed confidential information about Client B to Colleague A and Client B's partner, without Client B's informed written consent, although she did have Client B's verbal consent.

2.8 In July 1998, Respondent formally terminated her professional services with Client B. For all practical purposes, however, Respondent's therapy relationship with Client B was, or should have been, terminated two to three months earlier, and it was not until July, 1998 that Respondent offered to help Client B find an alternative source of professional services or assistance. Respondent made repeated verbal offers to Client B for termination and referral between March and July 1998, all of which were refused by Client B.

2.9 Respondent failed to maintain adequate records of the professional services that she provided to Client B.

Section 3: CONCLUSIONS OF LAW

The Department and Respondent agree to the entry of the following Conclusions of Law:

3.1 The Examining Board of Psychology has jurisdiction over Respondent and over the subject matter of this proceeding.

3.2 The above facts constitute unprofessional conduct in violation of RCW 18.130.180(4), (7) and WAC 246-924-354, -356, -357, -359(2), -363(1).

3.3 The above violations are grounds for the imposition of sanctions under RCW 18.130.160.

Section 4: AGREED ORDER

Based on the preceding Stipulated Facts and Conclusions of Law, Respondent agrees to entry of the following Agreed Order:

4.1 The Board hereby imposes Corrective Action against Respondent that will remain in effect for at least four (4) years. This corrective action shall include the following terms and conditions:

4.1.1 Respondent's practice shall be supervised by a psychiatrist or psychologist approved in advance by the Board. The supervisor must be approved within sixty (60) days of the effective date of this Agreed Order. Only periods under supervision shall count towards reducing the term of the corrective action. The supervisor shall have at least ten (10) years in practice in the State of Washington, and shall be identified and approved according to the Board's policy on supervisors and therapists.

a. The supervisor shall have access to all client files, to include all e-mail and all other recorded or electronic data pertaining to client contact and/or the provision of professional services.

b. The supervisor shall meet with Respondent to review cases on a schedule set by the supervisor, but not less than one (1) hour per ten hours of practice during the first year, and one (1) hour per thirty hours of practice thereafter.

c. Within thirty (30) days of commencing supervision, and subject to approval by the supervisor, Respondent shall develop definitions and limitations on consultation, evaluation, therapy, forensic, and other professional services, and the resulting professional relationships. Appropriate disclosure forms shall be developed and approved by the supervisor. These disclosure forms must include reference to the existence of this Agreed Order, and information on how to obtain a copy of the Agreed Order from the Board.

d. Respondent shall provide a copy of this Agreed Order to the supervisor prior to beginning the relationship. The supervisor shall submit directly to the Board a written supervision plan at the beginning of the relationship. The plan shall be developed after an initial meeting with representative(s) of the Board to set expectations and responsibilities. The plan shall include supervision of practice, regular review of all client cases and files (to include electronic communication), audio and/or videotaping sessions if the supervisor deems it appropriate, and other elements as determined by the supervisor. The plan shall also include regular face-to-face meetings with Respondent, at least bi-weekly during the first year and at least monthly thereafter. The plan may be revised from time to time as determined by the supervisor, but must meet the requirements of this Order and must be submitted to the Board for approval within fourteen (14) days of revision. The plan shall also include regular activity and progress reports

submitted directly to the Board by the supervisor. The activity and progress reports shall be due the first day of January, April, July, and October of each year.

e. Respondent shall provide the supervisor access to all files, any tapes of sessions, to the extent that the supervisor has deemed it necessary that sessions be taped, and all other materials and/or communications, as determined by the supervisor. Responsibility for adhering to the plan, including ensuring timely submission of activity and progress reports, rests with Respondent.

4.1.2 Respondent shall maintain fully documented files on clients seen and consulted for any and all professional services. Any and all telephone and e-mail communications with clients and others, relating to the provision of clinical or consulting services (other than those relating to administrative matters such as scheduling, for example), shall be documented and included in the files, in addition to all other required documentation. Therapy files shall be maintained using a SOAP-type format and shall include a current diagnosis and treatment plan. The supervisor shall establish requirements and format for all other types of files.

4.1.3 Respondent's records shall be subject to random audits to be conducted by the Board's designee. Respondent shall pay the costs of these audits.

4.1.4 Respondent shall pay a fine of ten thousand dollars (\$10,000.00). Five thousand dollars (\$5,000.00) shall be paid within ninety days of the effective date of this Order, and the remainder shall be paid according to a payment plan not exceeding two years and established with the Board. Payment shall be by certified or cashier's check or money order, marked with the docket number of this proceeding and mailed to the Department of Health, Examining Board of Psychology, P.O. Box 1099, Olympia, WA 98507-1099.

4.1.5 Respondent shall remain in therapy with Dr. Flor Fernandez, who has been providing therapy to Respondent since 1998. As a part of this

therapeutic and corrective action process, Dr. Fernandez shall, within 60 days of the date of this Order, prepare a report to the Board summarizing Respondent's history, any diagnostic evaluation, current psychological status, as well as a treatment plan for the upcoming several years. Should Respondent make a change of therapists, Respondent shall enter and remain in therapy only with a psychologist or psychiatrist approved in advance by the Board. Dr. Fernandez, and any subsequent treatment provider, shall be furnished a copy of the Amended Statement of Charges and this Agreed Order. The treating provider shall submit quarterly written reports directly to the Board and to the Supervisor describing Respondent's progress in therapy with particular attention to issues related to the events described in the Amended Statement of Charges and Respondent's future management of these issues. Therapy shall occur on a schedule and for a duration to be determined by the treating provider, but therapy shall not cease until the treating provider certifies to the Board that Respondent has adequately addressed the relevant issues to a point that she is able to practice with reasonable safeguards for clients.

4.1.6 Respondent shall have no further contact with the client identified in this proceeding, except to the extent such contact is mandated by legal process or court order.

4.1.7 Any periods during which Respondent is not in active practice in the state of Washington for at least twenty (20) hours per month shall not count towards the reduction of the terms of this Agreed Order. Respondent shall inform the Board in writing of any periods of active practice of less than twenty (20) hours per month within thirty (30) days of commencement and cessation of the period.

4.2 Within ten (10) days of the effective date of this Order, Respondent shall thoroughly complete the attached Healthcare Integrity and Protection Data Bank

Reporting Form (45 CFR, Part 61) and return it to the Department of Health, Legal Unit, P.O. Box 47869, Olympia, Washington 98504-7969.

4.3 Respondent shall obey all federal, state, and local laws and all administrative rules governing the practice of the profession in Washington.

4.4 Respondent shall assume all costs of complying with this Agreed Order.

4.5 If Respondent violates any provision of this Agreed Order in any respect, the Board may take further action against Respondent's license.

4.6 Respondent shall inform the Board in writing of any change in her residential or business address within thirty (30) days of such change during the period of this corrective action under this Agreed Order.

4.7 In the event that Respondent should leave Washington to reside or to practice outside the state, Respondent shall notify the Board in writing of the dates of *departure and return and the destination within thirty (30) days of departure*. Periods of residency or practice outside Washington will not apply to the reduction of the term of this Agreed Order. Respondent agrees that the Board may communicate with the licensing authority in any other jurisdiction regarding the terms, conditions and/or stipulations under this Agreed Order.

4.8 Respondent may petition for modification of this Agreed Order or for reinstatement at such time as she has completed four (4) years of supervised practice in the state of Washington. The Board may impose such conditions as it then determines appropriate.

I, LAURA BROWN, Ph.D., Respondent, certify that I have read this Stipulated Findings of Fact, Conclusions of Law and Agreed Order in its entirety; that my counsel of record, if any, has fully explained the legal significance and consequence of it; that I fully understand and agree to all of it; and that it may be presented to the Board, without my appearance. If the Board accepts the Stipulated Findings of Fact, Conclusions of Law, and Agreed Order, I understand that I may receive a signed copy.

LAURA S. BROWN, Ph.D.
Respondent

Date: _____

CARNEY BADLEY SMITH & SPELLMAN, P.S.

By _____
KENNETH S. KAGAN, WSBA No. 12983
Of Attorneys for Respondent

Date: _____

I, LAURA BROWN, Ph.D., Respondent, certify that I have read this Stipulated Findings of Fact, Conclusions of Law and Agreed Order in its entirety; that my counsel of record, if any, has fully explained the legal significance and consequence of it; that I fully understand and agree to all of it; and that it may be presented to the Board, without my appearance. If the Board accepts the Stipulated Findings of Fact, Conclusions of Law, and Agreed Order, I understand that I may receive a signed copy.



LAURA S. BROWN, Ph.D.
Respondent

Date: 2/7/02

CARNEY BADLEY SMITH & SPELLMAN, P.S.

By 
KENNETH S. KAGAN, WSBA No. 12883
Of Attorneys for Respondent

Date: 2/7/02

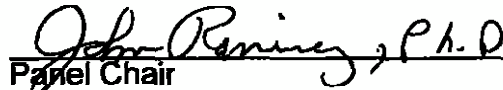
STIPULATED FINDINGS OF FACT.
CONCLUSIONS OF LAW & AGREED ORDER

Section 5: ORDER

The Examining Board of Psychology accepts and enters this Stipulated Findings of Fact, Conclusions of Law, and Agreed Order.

DATED this 8th day of FEBRUARY, 2002.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
EXAMINING BOARD OF PSYCHOLOGY


Panel Chair

Presented by:

CHRISTINE O. GREGOIRE
Attorney General


ROBERT C. HARGREAVES, WSBA No. 8761
Assistant Attorney General
Attorneys for Department of Health

FOR INTERNAL USE ONLY. INTERNAL TRACKING NUMBERS:

PROGRAM NO. 98-10-0004PY

STIPULATED FINDINGS OF FACT,
CONCLUSIONS OF LAW & AGREED ORDER

myg

COPY

RECEIVED

JAN 02 2002

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
ADJUDICATIVE CLERK OFFICE

In the Matter of the License to Practice as a
Psychologist of:

) Docket No. 99-12-A-1016PY

) NOTICE OF FAILURE TO
) RESPOND

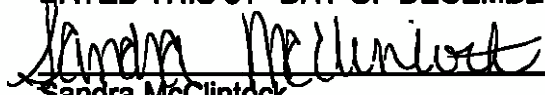
LAURA S BROWN, Ph.D.,
License No:PY00000615,

Respondent.

TO: ROBERT HARGREAVES, AAG
OFFICE OF THE ATTORNEY GENERAL
P. O. BOX 40110
OLYMPIA WA 98504-0110

THIS NOTICE is to advise you that as of this date the Licensee/Respondent in the
above-entitled matter has not responded to the Second Amended Statement of Charges served
November 29, 2001.

DATED THIS 31st DAY OF DECEMBER 2001


Sandra McClintock
Hearings Scheduler

DECLARATION OF SERVICE BY MAIL

I declare that today, at Olympia, Washington, I served a copy of this document upon the following
parties of record: Laura Brown, Respondent, Kenneth Kagan, Attorney for Respondent and Robert
Hargreaves, AAG, by mailing a copy properly addressed with postage prepaid.

DATED THIS 31st DAY OF DECEMBER 2001.


Janice Boden, Program Manager
Adjudicative Clerk Office

c / Janice Boden, Program Manager
Susan Myers, Legal Secretary
Office of Professional Standards

LAURA BROWN, Ph.D.
4527 1st AVE NE
SEATTLE WA 98105

KENNETH KAGAN, ATTORNEY
CARNEY BADLEY SMITH et al
2200 COLUMBIA CENTER
701 FIFTH AV E
SEATTLE WA 98104-7091

Gilbert, Margaret

From: Gilbert, Margaret
Sent: Saturday, December 29, 2001 11:18 AM
To: Hargreaves, Bob (ATG)
Cc: Boden, Janice
Subject: RE: Brown, Laura

1 - Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's agent

"The Department of Health works to protect and improve the health of the people of Washington State."

**Margaret J. Gilbert
Supervising Staff Attorney
Department of Health
PO Box 47860
Olympia, WA 98504-7860
Phone (360) 236-4913
Fax (360) 236-4930
Email Margaret.Gilbert@doh.wa.gov**

-----Original Message-----

From: Hargreaves, Bob (ATG)
Sent: Friday, December 28, 2001 9:44 AM
To: Gilbert, Margaret
Subject: FW: Brown, Laura

Margaret: Still no word from Kagan. Perhaps this will prompt him. Bob

-----Original Message-----

From: Hargreaves, Bob (ATG)
Sent: Friday, December 28, 2001 9:42 AM
To: 'kagan@carneylaw.com'
Subject: Brown, Laura

Ken:

Happy New Year! Hope you and your family had a pleasant holiday.

2 - Attorney-Client Privileged - RCW 5.60.060(2)(a), RCW 42.56.070(1) - Communications between attorney and client or between clients for the purpose of gathering information

Please advise.

Bob

-----Original Message-----

From: Hargreaves, Bob (ATG)
Sent: Thursday, December 13, 2001 2:21 PM
To: 'Kagan, Kenneth S.'
Subject: RE:

Hi, Ken:

2 - Attorney-Client Privileged - RCW 5.60.060(2)(a), RCW 42.56.070(1) - Communications between attorney and client or between clients for the purpose of gathering information

Bob

-----Original Message-----

From: Kagan, Kenneth S. [mailto:kagan@carneylaw.com]

Sent: Thursday, December 13, 2001 1:28 PM

To: Hargreaves, Bob (ATG)

Subject:

Hi, Bob:

I was wondering if you have any word on my settlement issues, primarily the name we're giving to what is happening.

We are nearly settled on a proposed practice supervisor, too, so I'm hoping to get this matter wrapped up soon.

I will be in the office today and most of tomorrow, and then I'll be out of the office until 12/26.

Ken

Gilbert, Margaret

From: Hargreaves, Bob (ATG)
Sent: Tuesday, January 22, 2002 9:42 AM
To: Gilbert, Margaret
Subject: RE: Laura Brown

2 - Attorney-Client Privileged - RCW 5.60.060(2)(a), RCW 42.56.070(1) - Communications between attorney and client or between clients for the purpose of gathering informati

—Original Message—

From: Gilbert, Margaret
Sent: Monday, January 21, 2002 3:30 PM
To: Hargreaves, Bob (ATG)
Cc: Boden, Janice
Subject: Laura Brown

1 - Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or ...

"The Department of Health works to protect and improve the health of the people of Washington State."

Margaret J. Gilbert
Supervising Staff Attorney
Department of Health
PO Box 47860
Olympia, WA 98504-7860
Phone (360) 236-4913
Fax (360) 236-4930
Email Margaret.Gilbert@doh.wa.gov

February 7, 2002

Kenneth S. Kagan
CARNEY BADLEY SMITH & SPELLMAN
Attorneys at Law
700 Fifth Avenue, Suite 5800
Seattle, WA 98104-5017

RE: Laura S. Brown, Ph.D.
Docket No. 99-12-A-1016PY

Dear Ken:

This will serve to confirm, pursuant to the settlement agreement of the parties, that when accepted and entered by the Examining Board of Psychology, the Stipulated Findings of Fact, Conclusions of Law and Agreed Order in the above referenced matter will dispose of the allegations in the Second Amended Statement of Charges issued on November 29, 2001 pertaining to "Client C," who is identified in the Confidential Schedule appended to that statement of charges.

Very truly yours,

ROBERT C. HARGREAVES
Assistant Attorney General

COPY

Attn: Legal Unit
P.O. Box 47860
Olympia, WA 98504-7860
Fax: (360) 236-4930

**Washington State
Department of Health**

Fax

To: Bob Hargreaves, AAG From: Margaret Gilbert, Staff Attorney
Fax: 664-0174 Date: 1/29/02
Phone: Pages: 5
Re: Laura Brown CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Comments:

1 - Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's agent

Perhaps we should revisit the question?

236-4913

The information in this fax message is privileged and confidential. It is intended only for the use of the recipient named above. If you received this in error, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this message in error, please notify us by telephone immediately.

-----Original Message-----

From: [7 - Name - Whistleblower Regarding Health Care Provider or Health Care Fa...]

Sent: Wednesday, December 05, 2001 5:16 PM

To: Boden, Janice

Subject: Here is my complaint form to the examining Board of Psychology

Please inform me of what to do next.

COMPLAINT FORM

State of Washington

Department of Health

Professions Quality Assurance Division

Examining Board of Psychology

PO Box 47869

Olympia WA 98504-7869

(360)753-2147

Your Name [7 - Name - Whistleblower Regardi...]

Address: [7 - Name - Whistleblower Regarding Health Care P...]

City: [7 - Name - Whistleblower Regarding Health Care...]

Phone: 206-903-0259

COMPLAINT INFORMATION

Please complete the following information concerning the individual(s) against whom you wish to register this complaint. This will help to avoid delay in processing your complaint. Please supply as much information as you can at this time. Thank you.

First and last name of person(s) your complaint is against:

Laura Brown

Address: 4725 1st ave NE **City:** Seattle **State:** Wa **Zip:** 98104

Phone: 206-903-0259

Date(s) or time period of treatment or service.

Sept 1995- March 2000

Have you discussed this complaint with the psychologist? YES X NO If so, with what response?

I continually discussed the complaint. She told me that she was too involved with the other complaint against her to deal with it. That it would be a "very long time before she could deal with it." And I sent her a letter after she lost her license to do with it. She ignored the letter. She ignored the phone call from my new therapist to deal for consultation on my case.

If not, why?

Describe your specific complaint against the psychologist in the space below. Be as detailed as necessary to make the complaint clear. You may attach additional sheets if necessary.

As Dr. Brown faced another complaint against her in the medical board she began to use me in therapy as a sounding board about that case. She discussed her breakup with a long term lover and her anger over her lover's law suit against her. In therapy she was inattentive, she was withdrawn. She told me that I could no longer yell at her because another client had punched a wall in her office and she could no longer deal with anger. She processed her feelings around the other client and her lover with me.

Dr. Brown was involved on every level in my life in ways I now view as detrimental and inappropriate: but because of the nature of my condition I thought I had to lean on her until I grew stronger. She gave me money. We had very frequent contact, she intervened with other people or agencies for me, she spoke to my lover about me.... I often brought up that the therapy wasn't feeling okay. I frequently worried that I was getting worse. As she closed down because of the complaint against her I thought it was me she was withdrawing from. I began to feel more and more confused and blamed myself. I felt that I had to take care of her emotionally and she used me that way.

Dr. Brown asked if I would testify, if need be or write a letter concerning the Medicare fraud charges against her and frequently brought up that she might loose the ability to be paid by Medicare but she never brought up that she might loose her license. What sort of epitomizes the way her needs and agendas took over my therapy was that on the day I came in to talk about one of my best friends dying - the day after her death, Dr. Brown chose to tell me she was going on a long sabbatical. She had known this for months but chose to tell me on that day, not the week before or the week afterwards but as I was dealing with a tremendous loss. I was suicidal that night and my lover had to come take care of me. I began to seriously decompensate. My lover and best friend tried to tell tag=hat I should leave therapy. My home health aide worried about my therapy and told me that she thought something fishy was going on as Dr. Brown yelled at me. I was getting messages from a lot of places but I was, because of my issues, holding on to that relationship. I began to want to do anything to make "mommy" love me and switched between being really angry at Dr. Brown and unable to do therapy to needing her approval and connection. I stayed past where it made sense to stay.

When she left for a sabbatical she did little to ensure I had the support I needed. She referred me to one therapist as a referral that she knew was leaving town. I had no one to talk to about Laura or my confusion while she was gone.

Dr. Brown was inappropriately involved in many parts of my life- offering to sign for an apt, a loan, giving me money and a computer. I view all these loose boundaries as detrimental to myself at this point. Because of the nature of my condition I thought I needed this level of intervention. I know see that I was overly dependent on her in unhealthy ways that she encouraged and I was then left hanging to dry.

Finally Dr. Brown told me she lost her license on the day I was confronting her about not sending an important fax that she had promised to send to a court regarding a case that was pending against me. the case was later dismissed with prejudice. Nonetheless the letter Doctor Brown was supposed to send was regarding why I could show up to a court date- due to my knee being out, being unable to walk and being completely stressed out. She was supposed to coordinate with my physician and fax the letter to the judge. She never did.

As I confronted her about this she told me that "She was not able to do the bad mommy thing with me" and couldn't deal with my anger. I asked her when she thought she might deal with it and she said "not for a long time. I just lost my license." That is how I found out that she lost her license. She talk ed to me extensively about her client and the other complainant when she came to court to deal with the judge. Once again I was dealing with Dr. Brown's issues.

She then assured me that she would fight the loss and promised to see me as a client when she won. I was to go to another therapy program and come back and work with her. She was going to support me while in that program. But that never came to pass. She made a promise to me that she didn't keep.

Dr. Brown knew she might lose her license and instead of slowly building my independence she chose to stay super involved even though she knew there might be an abrupt end. She did not prepare me for what might go happen. She withheld that information. It took a long time to extract her from my money matters. She out me at risk financially by not preparing me for her sudden departure

Though she knew I had enormous issues around abandonment she did not, in my opinion act responsibly around making sure I was okay. She did not prepare me, build my independence, used me as her sounding board, was inattentive in therapy, said inappropriate things around her former clients, tried to align me against them and her former lover.

Dr. Brown knew that I was a vulnerable client, dealing with a intense disassociative disorder which was knocking me for a loop. I trusted her to show me how to deal with that disorder but she did not honor that trust. She played with very vulnerable parts of me and didn't leave me stronger. She left me more dependent, less able to function and extremely confused. A new therapist has estimated that it will take 2-3 years to undo the damage s Dr. Brown's therapeutic relationship did to me. That's before I can even begin to do the work I was in Dr. Brown's office to do., which I think is absolutely outrageous. I have suffered much pain and confusion and was knocked for a complete loop for 8 months afterwards. Only slowly I have began to begin to move on. It has effected my relationships. But more importantly it effected the most hurt parts of myself and I was unable to access the parts of me that hold joy or wonder or gentleness. I sat in a depersonalized state for a long time. Barely able to put one foot in front of another.

An ex-lover of mine who tried to confront Dr. Brown on the inappropriateness of my therapy said to me "Laura is in love with you. That's , I guess the bottom line with all this- We passed from being client-therapist to being friends and comrades. And in the end that did me great harm because my needs started not to matter. And as Dr. Brown sort of lost I as it as she dealt with the stress of dealing with her former client and the complaint against her she stopped being my doctor and, I think, breached her fiduciary duty to me. Our therapeutic relationship lost its integrity. She betrayed my trust by ignoring her obligation to put my best interests first and by doing so she caused me

great harm. She used me as a sounding board and as she decompensated as she dealt with the complaint and the loss of her relationship she did continued to do therapy when she clearly was emotionally unable to do so in a professional manner.

And I guess it is still the "very long time" before she can deal with any of this because despite my efforts to deal with this with her I have received no response. Nor has she responded to my new therapist's calls for consultationsSignature

7 - Name - Whistleblower Regarding He...

12/4/01

Case Information Cover Sheet

Please complete the appropriate section(s).

1. Docket Number: 99-12-A-1016PY

Respondent Name: Laura S. Brown

Today's Date: 11/29/01

Address: 4527 1st Avenue NE

Program Manager: Janice Boden

Seattle, WA 98105

Staff Attorney: Margaret J. Gilbert

Respondent Attorney: James E. Lobsenz

AAG: Kim O'Neal

Address: 701 Fifth Ave. Ste. 2200

Charging Panel:

Seattle, WA 98104-7091

Compliance Person: Janice Boden

Reviewing Bd/Comm Member: Barber

Cc: Traci Troutman

2. Document(s) Being Filed: (originals)

☒ SOC/Notice of Intent to Deny & Proof of Service

☐ Legislatively Mandated Suspensions
(self-executing order)

☐ Motion for Summary Action & SOC packet
(Summary action order hard copy & disc)

☐ Original SOA and Copy of Stipulated Order

☐ Notice of Intent to Order Investigative Physical or
Psychological Examination

☐ Original signed Stipulated/Agreed Order

☐ BAP Initial Order and Record

☐ Final Order on Default

☒ Other: Second Amended

3. Proposed Timeline Criteria: (Estimated at time of charging)

NOTE: The proposed criteria listed below are intended to provide a means for the Program to provide input on scheduling at the time of charging. They are not intended as a final decision on scheduling, and may be subject to change based upon receipt of an answer from the Respondent. For more complete instructions, please see NOTES on the back of this form.

☐ 4 months

Admission of guilt; 1
charge

Noncompliance
Application denial

Action in another
jurisdiction

☐ 5 months

One straight-forward issue
(e.g. 1 charge of diversion)

☐ 6 months

Multiple charges

Practice issues

Convicted; Multiple
charges

☐ 9 months

Multiple, complex,
technical issue

Multiple parties, complex
issues

(e.g. Most Certificate of
Need cases; Complex
practice issues)

☐ Other: _____

4. Special instructions/considerations:

◆ # of anticipated hearing days: _____

◆ Translator/Interpreter Needed: ☐ Yes ☐ No

◆ Use pre-set hearing dates: ☐ Yes ☐ No

◆ Need special hearing dates: ☐ Yes ☐ No

◆ Hearing date: _____

◆ Other: _____

FOR USE BY CLERK OFFICE ONLY



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

November 29, 2001

Kenneth S. Kagan
CARNEY BADLEY SMITH, et al
Law Offices
2200 Columbia Center
701 Fifth Avenue
Seattle, WA 98104-7091

Laura S. Brown, Ph.D.
4527 - 1st Avenue N.E.
Seattle, WA 98105

Dear Dr. Brown and Mr. Kagan:

Enclosed please find a copy of the following documents issued to you:

- Second Amended Statement of Charges
- Notice of Opportunity for Settlement and Hearing
- Answer to Second Amended Statement of Charges and Request for Settlement and Hearing
- Stipulated Findings of Fact, Conclusions of Law, and Agreed Order (proposed)
- Healthcare Integrity and Protection Data Bank Reporting Form
- Department of Health Disciplinary Guidelines

Please be advised that the Answer to the Second Amended Statement of Charges and Request for Settlement and Hearing form must be completed and received by the Adjudicative Clerk Office no later than twenty (20) days from the date it was mailed to you.

I will be representing the Department of Health during the initial stages of this matter, and through the settlement conference. If this matter cannot be settled and proceeds to a hearing, an assistant attorney general will represent the Department at that hearing. Accordingly, please direct all questions regarding settlement to me.

If you agree with the proposed terms and conditions, please sign the Stipulated Findings of Fact, Conclusions of Law, and Agreed Order and return it to me by December 19, 2001. I will present the Order to the disciplinary authority for acceptance at the first available opportunity. If I do not receive the signed Order from you on or before December 19, 2001, I will assume that you have rejected the settlement offer.



Laura S. Brown, Ph.D.
November 29, 2001
Page Two

In addition, I have enclosed a document entitled "Healthcare Integrity and Protection Data Bank Reporting Form". Pursuant to federal law, 45 CFR part 61, you are required to complete this form and return it to the Adjudicative Clerk Office.

You do have the right, and are encouraged, to obtain private counsel to advise and instruct you concerning this matter. If you have any questions regarding the enclosed documents or the adjudication process, please contact me at (360) 236-4913.

Sincerely,

A handwritten signature in black ink, appearing to read "Margaret J. Gilbert". The signature is fluid and cursive, with the first name "Margaret" being more prominent than the last name "Gilbert".

MARGARET J. GILBERT
Staff Attorney

Enclosures

cc: Janice Boden, Program Manager
Reviewing Board Member

**STATE OF WASHINGTON
DEPARTMENT OF HEALTH
EXAMINING BOARD OF PSYCHOLOGY**

In the Matter of the License to Practice as
a Psychologist of:

LAURA S. BROWN, Ph.D.,
Credential No. PY00000615

Respondent.

) **Docket No. 99-12-A-1016PY**

)
) **DECLARATION OF SERVICE**
) **BY MAIL**

)
) **Program Nos. 98-10-0004PY**
) **& 99-02-0006PY**

I declare under penalty of perjury under the laws of the state of Washington that the following is true and correct:

On November 29, 2001, I served a true and correct copy of the Second Amended Statement of Charges; Answer to the Second Amended Statement of Charges and Request for Settlement and Hearing; Notice of Opportunity for Settlement and Hearing; Stipulated Findings of Fact, Conclusions of Law, and Agreed Order (proposed); Healthcare Integrity and Protection Data Bank Reporting Form; and Department of Health Disciplinary Guidelines; by placing same in the U.S. mail by 4:00 p.m., postage prepaid, on the following parties to this case:

Robert C. Hargreaves, AAG
Office of the Attorney General
P.O. Box 40100
Olympia, WA 98504-0100

Laura S. Brown, Ph.D.
4527 – 1st Avenue N.E.
Seattle, WA 98105

Kenneth S. Kagan
CARNEY BADLEY SMITH, et al
2200 Columbia Center
701 Fifth Avenue
Seattle, WA 98104-7091

DATED: November 29, 2001, at Olympia, Washington.

Susan Myers
SUSAN MYERS, Legal Secretary

Original filed with:
Department of Health
Adjudicative Clerk Office
1107 Eastside Street
P.O. Box 47879
Olympia, WA 98504-7879

ORIGINAL

**STATE OF WASHINGTON
DEPARTMENT OF HEALTH
EXAMINING BOARD OF PSYCHOLOGY**

In the Matter of the License to Practice as
a Psychologist of

LAURA S. BROWN, Ph.D.,
Credential No. PY00000615

Respondent.

Docket No. 99-12-A-1016PY

**SECOND AMENDED STATEMENT OF
CHARGES**

The Program Manager of the Examining Board of Psychology on designation by the Board makes the allegations below, which are supported by evidence contained in program case file nos. 98-10-0004PY and 99-02-0006PY. Any clients, patients or other third parties, other than health care providers, referred to in this Amended Statement of Charges are identified in the attached Confidential Schedule.

Section 1: ALLEGED FACTS

1.1 Laura S. Brown, Ph.D., Respondent, was issued a license to practice as a psychologist in the State of Washington in January 1979.

1.2 In approximately February 1995, Respondent entered into a forensic consultation relationship with an individual who then resided in Georgia. Thereafter, in approximately November 1996, Respondent entered into a professional research relationship with this individual (Colleague A).

1.3 Respondent subsequently suggested that Colleague A consider relocating to Washington State. Respondent put Colleague A in touch with one of Respondent's clients, Client B, who lived in Port Townsend, Washington. Respondent had been providing therapy to Client B since July 1989. Respondent obtained Client B's consent before putting Colleague A and Client B in touch with each other.

1.4 During the spring of 1997, Colleague A and Client B corresponded and met with each other, and became close friends. Colleague A then moved to Port Townsend in late June 1997.

1.5 In the summer of 1997, Client B began using her therapy sessions and e-mail exchanges with Respondent to address problems she was having in her relationship with Colleague A. These problems persisted at least into early 1998. Respondent held a number of joint sessions with Client B and Colleague A during this time frame.

1.6 Respondent shared some of her own personal problems with Client B, to include problems Respondent was having in her own relationship with Colleague A.

1.7 Respondent disclosed confidential information about Client B to Colleague A and Client B's partner, without Client B's informed written consent.

1.8 In July 1998, Respondent formally terminated her professional services with Client B. However, Respondent's therapy relationship with Client B was or should have been terminated earlier, and Respondent did not timely offer to help Client B find an alternative source of professional services or assistance.

1.9 Respondent failed to maintain adequate records of the professional services that she provided to Client B.

1.10 Between approximately January 1990 and April 1992, Respondent served as practice supervisor to Arthur Peskind, Ph.D., who was under Board Order as a result of a sexual relationship with a client. After the required supervision ended, Dr. Peskind continued to consult with Respondent.

1.11 In approximately 1993, Respondent evaluated Client C in connection with litigation undertaken by Client C against a former therapist. During the evaluation process, Respondent suggested Client C might seek treatment from Dr. Peskind for issues related to panic disorder. Client C began treatment with Dr. Peskind in May 1993.

1.12 Respondent continued to serve as consultant to Dr. Peskind after May 1993. Client C was one of Dr. Peskind's cases he discussed with Respondent.

1.13 After May 1993, Respondent met with Client C on occasion to address issues presented by Client C that were not related to the forensic evaluation, to include issues arising in Client C's treatment with Dr. Peskind. When Client C's problems with her therapy and relationship Dr. Peskind escalated, Respondent counseled both individuals in an attempt to assist in gaining resolution, an effort Respondent termed "consultation to the process of therapy." Respondent kept no records of these consultations.

Section 2: ALLEGED VIOLATIONS

2.1 The violations alleged in this section constitute grounds for disciplinary action pursuant to RCW 18.130.180, and imposition of sanctions under RCW 18.130.160.

2.2 The facts alleged in paragraphs 1.2, 1.3, 1.5 and 1.6 constitute unprofessional conduct in violation of RCW 18.130.180(4), (7), WAC 246-924-356, and WAC 246-924-357, the texts of which are provided in paragraph 2.7.

2.3 The facts alleged in paragraph 1.7 constitute unprofessional conduct in violation of RCW 18.130.170(4), (7) and WAC 246-924-363(1), the texts of which are provided in paragraph 2.7.

2.4 The facts alleged in paragraph 1.8 constitute unprofessional conduct in violation of RCW 18.130.180(4), (7) and WAC 246-924-359(2), the texts of which are provided in paragraph 2.7.

2.5 The facts alleged in paragraph 1.9 constitute unprofessional conduct in violation of RCW 18.130.180(4), (7) and WAC 246-924-354, the texts of which are provided in paragraph 2.7.

2.6 The facts alleged in paragraphs 1.10 through 1.13 constitute unprofessional conduct in violation of RCW 18.130.180(4), (7), WAC 246-924-354, and WAC 246-924-357, the texts of which are provided in paragraph 2.7.

2.7

RCW 18.130.180 Unprofessional conduct. The following conduct, acts, or conditions constitute unprofessional conduct for any license holder or applicant under the jurisdiction of this chapter:

....

(4) Incompetence, negligence, or malpractice which results in injury to a patient or which creates an unreasonable risk that a patient may be harmed. The use of a nontraditional treatment by itself shall not constitute unprofessional conduct, provided that it does not result in injury to a patient or create an unreasonable risk that a patient may be harmed;

(7) Violation of any state or federal statute or administrative rule regulating the profession in question, including any statute or rule defining or establishing standards of patient care or professional conduct or practice;

WAC 246-924-354 Maintenance and retention of records. (1)

The psychologist rendering professional services to a client or clients or rendering services billed to a third party payor, shall document services except as provided in (g) of this subsection. That documentation shall include:

- (a) The presenting problem(s), purpose or diagnosis;
 - (b) The fee arrangement;
 - (c) The date and service provided;
 - (d) A copy of all tests and evaluative reports prepared;
 - (e) Notation and results of formal consults including information obtained from other persons or agencies through a release of information;
 - (f) Progress notes reflecting on-going treatment and current status;
 - (g) If a client requests that no treatment records be kept and the psychologist agrees to the request, the request must be in writing and only the following must be retained:
 - (i) Identity of the recipient of services;
 - (ii) Service dates and fees;
 - (iii) Description of services;
 - (iv) Written request that no records be kept.
- (2) The psychologist shall not agree to the request if maintaining records is required by other state or federal law.

WAC 246-924-356 Impaired objectivity. The psychologist shall not undertake or continue a professional relationship with a client when the competency of the psychologist is impaired due to mental, emotional, physical, pharmacological, or substance abuse conditions. If such a condition develops after a professional relationship has been initiated, the psychologist shall terminate the relationship in an appropriate manner, and shall assist the client in obtaining services from another professional.

WAC 246-924-357 Multiple relationships. The psychologist shall not undertake or continue a professional relationship with a client when the objectivity or competency of the psychologist is impaired because of the psychologist's present or previous familial, social, sexual, emotional, financial, supervisory, political, administrative, or legal relationship with the client or a person associated with or related to the client. When such relationship impairs objectivity, the psychologist shall terminate the professional relationship with adequate notice and in an appropriate manner; and shall assist the client in obtaining services from another professional.

WAC 246-924-359 Client welfare.

(2) Termination of services. Whenever professional services are terminated, the psychologist shall offer to help locate alternative sources of professional services or assistance if necessary. Psychologists shall terminate a professional relationship when it would become clear to a reasonable, prudent psychologist that the client no longer needs the service, is not benefitting, or is being harmed by continued service.

WAC 246-924-363 Protecting confidentiality of clients. (1) In general. The psychologist shall safeguard the confidential information obtained in the course of practice, teaching, research, or other professional duties. With the exceptions set forth below, the psychologist shall disclose confidential information to others only with the informed written consent of the client.

....

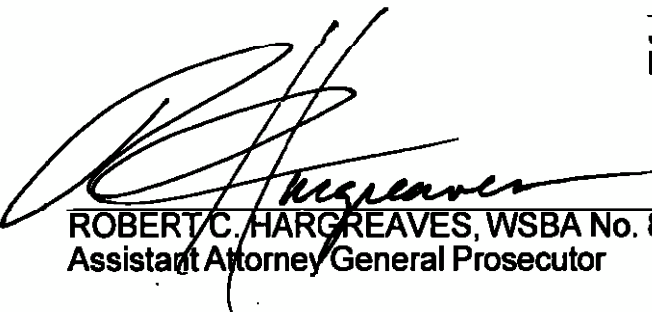
Section 3: NOTICE TO RESPONDENT

The charges in this document affect the public health, safety, and welfare. The Program Manager of the Examining Board of Psychology directs that a notice be issued and served on Respondent as provided by law, giving Respondent the opportunity to defend against these charges. If Respondent fails to defend against these charges, Respondent shall be subject to discipline pursuant to RCW 18.130.180 and the imposition of sanctions under RCW 18.130.160.

DATED: November 29, 2001.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
EXAMINING BOARD OF PSYCHOLOGY


JANICE K. BODEN
Program Manager


ROBERT C. HARGREAVES, WSBA No. 8761
Assistant Attorney General Prosecutor

FOR INTERNAL USE ONLY. INTERNAL TRACKING NUMBERS: 98-10-0004PY and 99-02-0006PY

CONFIDENTIAL SCHEDULE

This information is confidential and is NOT to be released without the consent of the individual or individuals named herein, or unless otherwise authorized by law.

Colleague A

Client B

Client C

5 - Investigative Records Compiled by agency in...

**STATE OF WASHINGTON
DEPARTMENT OF HEALTH
EXAMINING BOARD OF PSYCHOLOGY**

In the Matter of the License to Practice as a Psychologist of:)	
)	Docket No. 99-12-A-1016PY
)	
LAURA S. BROWN, Ph.D.,)	NOTICE OF OPPORTUNITY
Credential No. PY00000615)	FOR SETTLEMENT AND
)	HEARING
Respondent.)	

You are notified that a Second Amended Statement of Charges has been issued by the Examining Board of Psychology (Board), a copy of which is enclosed. The Second Amended Statement of Charges initiates the process by which the Board will determine whether you have committed unprofessional conduct pursuant to RCW 18.130.180(4) and (7), WAC 246-924-354, WAC 246-924-356, WAC 246-924-357, WAC 246-924-359(2), and WAC 246-924-363(1), as alleged in the Second Amended Statement of Charges. If you are found to have committed unprofessional conduct, the Board will determine the appropriate sanctions as provided in RCW 18.130.160.

You may request an adjudicative proceeding by filing an answer to the Second Amended Statement of Charges. Your answer to the Second Amended Statement of Charges provides you the opportunity to request an adjudicative proceeding or to waive the opportunity for an adjudicative proceeding, pursuant to RCW 34.05.413 and WAC 246-11-270. An answer form is enclosed.

**YOUR ANSWER TO SECOND AMENDED STATEMENT OF CHARGES MUST
BE RECEIVED BY THE ADJUDICATIVE CLERK OFFICE WITHIN TWENTY (20)
DAYS FROM THE DATE THIS NOTICE WAS MAILED TO YOU. If the twenty (20) day**

limit results in a hardship upon you, you may request in writing an extension for good cause not to exceed sixty (60) additional days. A request for extension must be received by the Adjudicative Clerk Office within twenty (20) days from the date this notice was mailed to you. The Presiding Officer will grant an extension for good cause.

Failure to file an answer within the twenty (20) day time limit or within the time limit established by a hardship extension constitutes a default. Pursuant to RCW 34.05.440 and WAC 246-11-280, a default will result in the loss of your right to an adjudicative proceeding, including a hearing, and resolution of the case without your participation. A default may result in the suspension or revocation of your license.

If you waive your opportunity for settlement and hearing, the case will be resolved without your further participation. Resolution of the case may include suspension or revocation of your license to practice as a psychologist in the state of Washington. You may submit a written statement for consideration by the Board, so long as that statement is received by the Adjudicative Clerk Office within twenty (20) days of the date this notice was mailed to you or within the time limit established by a hardship extension.

If you request an adjudicative proceeding, you will have an opportunity to settle the matter prior to a hearing. In seeking a settlement, you may submit a written statement and any supporting materials for consideration. A written settlement offer may be included with the Second Amended Statement of Charges or may be sent to you at a later date. If a settlement cannot be achieved through written documents, a settlement conference will be held. If a settlement cannot be reached, then the matter will proceed to a hearing.


Notice of the date, time, and location of the hearing will be sent to you at least seven (7) days in advance. At the hearing, you may appear personally and may be represented by counsel at your own expense. The hearing will be scheduled and conducted according to the requirements of the Administrative Procedures Act, chapter 34.05 RCW, and the procedural rules of chapter 246-11 WAC.

If you request an adjudicative proceeding but fail to appear or participate in a hearing or other stage of the adjudicative proceeding, you may be held in default pursuant to RCW 34.05.440 and WAC 246-11-280.

Pursuant to RCW 34.05.434, the names, addresses, and telephone numbers of the presiding officer, the parties to whom notice is given, and their representatives are attached and incorporated herein by reference. Pursuant to WAC 246-01-100, Respondent must notify, in writing, the Board and the Adjudicative Clerk Office if Respondent's name and/or address changes.

DATED: November 29, 2001.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
EXAMINING BOARD OF PSYCHOLOGY


JANICE K. BODEN
Program Manager

FOR INTERNAL USE ONLY. INTERNAL TRACKING NUMBERS:

PROGRAM NOS. 98-10-0004PY & 99-02-0006PY

Pursuant to RCW 34.05.434, the following parties, representatives, and officers have been given notice of this proceeding.

Adjudicative Clerk Office:

Department of Health
Adjudicative Clerk Office
1107 Eastside Street
P.O. Box 47879
Olympia, WA 98504-7879
Telephone: (360) 236-4677
FAX: (360) 586-2171

Presiding Officer:

Department of Health
Office of Professional Standards
1107 Eastside Street
P.O. Box 47879
Olympia, WA 98504-7879
Telephone: (360) 236-4677
FAX: (360) 586-2171

Examining Board of Psychology:

Janice Boden, Program Manager
Department of Health
1300 S.E. Quince Street
P.O. Box 47869
Olympia, WA 98504-7869
Telephone: (360) 236-4912

Respondent:

Laura S. Brown, Ph.D.
4527 – 1st Avenue N.E.
Seattle, WA 98105

Attorney for the Respondent:

Kenneth S. Kagan
CARNEY BADLEY SMITH, et al
2200 Columbia Center
701 Fifth Avenue
Seattle, WA 98104-7091
Telephone: (206) 622-8020
FAX: (206) 467-8215

Attorney for the Examining Board of Psychology:

Robert C. Hargreaves, AAG
Office of the Attorney General
P.O. Box 40100
Olympia, WA 98504-0100

**Representative of the Examining Board of Psychology
for purposes of settlement negotiations:**

Margaret J. Gilbert, Staff Attorney
Department of Health, Legal Unit
1300 S.E. Quince Street
P.O. Box 47860
Olympia, WA 98504-7860
Telephone: (360) 236-4913
FAX: (360) 236-4930

**STATE OF WASHINGTON
DEPARTMENT OF HEALTH
EXAMINING BOARD OF PSYCHOLOGY**

In the Matter of the License to Practice as
a Psychologist of:

LAURA S. BROWN, Ph.D.,
Credential No. PY00000615

Respondent.

)
) **Docket No. 99-12-A-1016PY**
)
) **ANSWER TO SECOND AMENDED**
) **STATEMENT OF CHARGES AND**
) **REQUEST FOR SETTLEMENT AND**
) **HEARING**

TO: **Laura S. Brown, Ph.D.**
4527 – 1st Avenue N.E.
Seattle, WA 98105

Correct Name:

Correct Address:

Correct Phone:

INSTRUCTIONS: This form may be used to answer the Second Amended
Statement of Charges and Request Settlement and Hearing. Correct your name,
address, and phone number above, if necessary, and enter your answers below and
sign and date this form. Return it to:

Department of Health
Adjudicative Clerk Office
1107 Eastside Street
P.O. Box 47879
Olympia, WA 98504-7879
Telephone: (360) 236-4677

**THIS FORM MUST BE RECEIVED BY ADJUDICATIVE CLERK OFFICE
WITHIN TWENTY (20) DAYS FROM THE DATE THIS NOTICE WAS MAILED TO
YOU. If the twenty (20) day limit results in a hardship upon you, you may request in
writing an extension for good cause not to exceed sixty (60) additional days. A request**

ANSWER TO SECOND AMENDED STATEMENT OF CHARGES
AND REQUEST FOR SETTLEMENT AND HEARING
Docket No. 99-12-A-1016PY

PAGE 1 OF 6

ORIGINAL

for extension must be received by the Adjudicative Clerk Office within twenty (20) days from the date this notice was mailed to you. The Presiding Officer will grant an extension for good cause. Failure to file an answer within the twenty (20) day time limit or within the time limit established by a hardship extension constitutes a default. Pursuant to RCW 34.05.440 and WAC 246-11-280, a default will result in the loss of your right to an adjudicative proceeding, including a hearing, and resolution of the case without your participation. A default may result in the revocation of your license .

Section 1: REQUEST FOR ADJUDICATIVE PROCEEDING

INSTRUCTIONS: Mark one (1) of the following:

- ☐ I waive my opportunity for settlement and hearing. I am enclosing my written statement and/or any materials I wish to have the Board, consider in disposition of the case.
- ☐ I request an opportunity for settlement and a hearing if settlement is not reached. I understand that a scheduling order will be issued and that I (or my attorney) will be required to participate in all stages of the adjudicative proceeding in accordance with chapter 246-11 WAC.
- ☐ I accept the settlement offer as proposed in the Stipulated Findings of Fact, Conclusions of Law, and Agreed Order. I have signed that settlement offer and am returning it. In the event that the settlement is not accepted by the Board of Pharmacy I request a hearing.

//

Section 2: REPRESENTATION

INSTRUCTIONS: Mark the appropriate response and provide correct information:

☐ I will be represented by an attorney who must file a Notice of Appearance.

His/her name, address, and phone number are:

Name:

Address:

Telephone:

☐ I will not be represented by an attorney.

Section 3: RESPONSE TO ALLEGATIONS

INSTRUCTIONS: Indicate below whether you admit, deny, or do not contest each of the alleged facts and alleged violations contained in the numbered paragraphs in the Second Amended Statement of Charges. Check one (1) response for each numbered paragraph.

//

Paragraph Number	Admit	Deny	Do Not Contest
1.1			
1.2			
1.3			
1.4			
1.5			
1.6			
1.7			
1.8			
1.9			
1.10			
1.11			
1.12			
1.13			
2.1			
2.2			
2.3			
2.4			
2.5			
2.6			
2.7			

INSTRUCTIONS: Mark the appropriate response:

- ☐ I have attached a sworn statement in my defense or in mitigation of charges.
- ☐ I have not attached a sworn statement.

Section 4: INTERPRETER REQUEST

INSTRUCTIONS: Complete the appropriate information if you request an interpreter because of a primary language other than English and/or because of a hearing or speech impairment. If you later determine that an interpreter will be necessary, you must notify the parties listed in the Notice of Opportunity for Settlement and Hearing. Costs for an interpreter will be paid pursuant to WAC 246-11-200.

- ☐ I request that a qualified interpreter be appointed to interpret for me or for my witness(es). My (or my witness(es)') primary language is

_____.

- ☐ I request that a qualified interpreter be appointed to interpret for me or for my witness(es). My (or my witness(es)') hearing or speech impairment requires an interpreter able to communicate in the following language:

_____.

//

//

Section 5: PROCEDURAL RIGHTS

Pursuant to chapter 34.05 RCW, you have the right to demand a hearing, to be represented by an attorney at your own expense, to subpoena witnesses or the production of books or documents, and to otherwise defend against the allegations in the Second Amended Statement of Charges. The Board has adopted procedural rules for the exercise of these rights and for the conduct of any adjudicative proceeding you request. The rules are contained in chapter 246-11 WAC.

DATED: _____.

LAURA S. BROWN, Ph.D.
Respondent

FOR INTERNAL USE ONLY. INTERNAL TRACKING NUMBERS:

PROGRAM NOS. 98-10-0004PY & 99-02-0006PY

**STATE OF WASHINGTON
DEPARTMENT OF HEALTH
EXAMINING BOARD OF PSYCHOLOGY**

In the Matter of the License to Practice as
a Psychologist of

LAURA S. BROWN, Ph.D.,
Credential No. PY00000615

Respondent.

Docket No. 99-12-A-1016PY

**STIPULATED FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND
AGREED ORDER**

The state of Washington Department of Health (Department) and the Examining Board of Psychology (Board), by and through Christine O. Gregoire, Attorney General and Robert C. Hargreaves, Assistant Attorney General, and Laura S. Brown, Ph.D., Respondent, by and through CARNEY BADLEY SMITH & SPELLMAN and Kenneth S. Kagan, Attorneys at Law, stipulate and agree to the following:

Section 1: PROCEDURAL STIPULATIONS

- 1.1 Laura S. Brown, Ph.D., Respondent, was issued a license to practice as a psychologist in the State of Washington in January 1979.
- 1.2 On November 29, 2001, the Board issued a Second Amended Statement of Charges against Respondent.
- 1.3 The Second Amended Statement of Charges alleges that Respondent violated RCW 18.130.180(4), (7), WAC 246-924-354, WAC 246-924-356, WAC 246-924-357, WAC 246-924-359(2), and WAC 246-924-363(1).
- 1.4 Respondent understands that the Department is prepared to proceed to a hearing on the allegations in the Second Amended Statement of Charges.

1.5 Respondent understands that she has the right to defend herself against the allegations in the Second Amended Statement of Charges by presenting evidence at a hearing.

1.6 Respondent understands that should the Department prove the allegations in the Second Amended Statement of Charges at a hearing, the Board has the power and authority to impose sanctions pursuant to RCW 18.130.160.

1.7 Respondent and the Board agree to expedite the resolution of this matter by means of these Stipulated Findings of Fact, Conclusions of Law, and Agreed Order (Agreed Order).

1.8 Respondent waives the opportunity for a hearing on the allegations in the Second Amended Statement of Charges, contingent upon signature and acceptance of this Agreed Order by the Board.

1.9 This Agreed Order is not binding unless and until it is signed and accepted by the Board.

1.10 Should this Agreed Order be signed and accepted it will be subject to the reporting requirements of RCW 18.130.110, the requirements of 45 CFR part 61, and any other applicable interstate/national reporting requirements.

1.11 Should the Board reject this Agreed Order, Respondent waives any objection to the participation at hearing of all or some of the Board members who heard the Agreed Order presentation.

//

Section 2: STIPULATED FACTS

The Department and Respondent stipulate to the following facts:

- 2.1 Laura S. Brown, Ph.D., Respondent, was issued a license to practice as a psychologist in the State of Washington in January 1979.
- 2.2 In approximately February 1995, Respondent entered into a forensic consultation relationship with an individual who then resided in Georgia. Thereafter, in approximately November 1996, Respondent entered into a professional research relationship with this individual (Colleague A).
- 2.3 Respondent subsequently suggested that Colleague A consider relocating to Washington State. Respondent put Colleague A in touch with one of Respondent's clients, Client B, who lived in Port Townsend, Washington. Respondent had been providing therapy to Client B since July 1989. Respondent obtained Client B's consent before putting Colleague A and Client B in touch with each other.
- 2.4 During the spring of 1997, Colleague A and Client B corresponded and met with each other, and became close friends. Colleague A then moved to Port Townsend in late June 1997.
- 2.5 In the summer of 1997, Client B began using her therapy sessions and e-mail exchanges with Respondent to address problems she was having in her relationship with Colleague A. These problems persisted at least into early 1998. Respondent held a number of joint sessions with Client B and Colleague A during this time frame.
- 2.6 Respondent shared some of her own personal problems with Client B, to include problems Respondent was having in her own relationship with Colleague A.

2.7 Respondent disclosed confidential information about Client B to Colleague A and Client B's partner, without Client B's informed written consent.

2.8 In July 1998, Respondent formally terminated her professional services with Client B. However, Respondent's therapy relationship with Client B was or should have been terminated earlier, and Respondent did not timely offer to help Client B find an alternative source of professional services or assistance.

2.9 Respondent failed to maintain adequate records of the professional services that she provided to Client B.

2.10 Between approximately January 1990 and April 1992, Respondent served as practice supervisor to Arthur Peskind, Ph.D., who was under Board Order as a result of a sexual relationship with a client. After the required supervision ended, Dr. Peskind continued to consult with Respondent.

2.11 In approximately 1993, Respondent evaluated Client C in connection with litigation undertaken by Client C against a former therapist. During the evaluation process, Respondent suggested Client C might seek treatment from Dr. Peskind for issues related to panic disorder. Client C began treatment with Dr. Peskind in May 1993.

2.12 Respondent continued to serve as consultant to Dr. Peskind after May 1993. Client C was one of Dr. Peskind's cases he discussed with Respondent.

2.13 After May 1993, Respondent met with Client C on occasion to address issues presented by Client C that were not related to the forensic evaluation, to include issues arising in Client C's treatment with Dr. Peskind. When Client C's problems with her therapy and relationship Dr. Peskind escalated, Respondent counseled both individuals in

an attempt to assist in gaining resolution, an effort Respondent termed "consultation to the process of therapy." Respondent kept no records of these consultations.

Section 3: CONCLUSIONS OF LAW

The Department and Respondent agree to the entry of the following Conclusions of Law:

3.1 The Examining Board of Psychology has jurisdiction over Respondent and over the subject matter of this proceeding.

3.2 The above facts constitute unprofessional conduct in violation of RCW 18.130.180(4) and (7), WAC 246-924-354, WAC 246-924-356, WAC 246-924-357, WAC 246-924-359(2), WAC 246-924-363(1).

3.3 The above violations are grounds for the imposition of sanctions under RCW 18.130.160.

Section 4: AGREED ORDER

Based on the preceding Stipulated Facts and Conclusions of Law, Respondent agrees to entry of the following Agreed Order:

4.1 Respondent's license shall be and is hereby SUSPENDED for at least five (5) years. The suspension shall be STAYED subject to the following terms and conditions:

4.1.1 Respondent's practice shall be supervised by a psychiatrist or psychologist approved in advance by the Board. The supervisor must be approved within sixty (60) days of the effective date of this Agreed Order. The stay shall commence at the time the supervisor is approved and only periods under supervision shall count

towards reducing the term of suspension. The supervisor shall have experience in forensic psychology/psychiatry, at least ten (10) years in practice in the state of Washington, and shall be identified and approved according to the Board's policy on supervisors and therapists.

a. The supervisor shall have access to all client files, to include all e-mail and all other recorded or electronic data pertaining to client contact and/or the provision of professional services.

b. The supervisor shall meet with Respondent to review cases on a schedule set by the supervisor, but not less than one (1) hour per ten (10) hours of practice for the first year, and one (1) hour per thirty (30) hours of practice thereafter.

c. Within thirty (30) days of commencing supervision, and subject to approval by the supervisor, Respondent shall develop definitions and limitations on consultation, evaluation, therapy, forensic, and other professional services, and the resulting professional relationships.

Appropriate disclosure forms shall be developed and approved by the supervisor. These disclosure forms must include reference to the existence of this Agreed Order, and information on how to obtain a copy of the Agreed Order from the Board.

d. Respondent shall provide a copy of this Agreed Order to the supervisor prior to beginning the relationship. The supervisor shall submit directly to the Board a written supervision plan at the beginning of the relationship. The plan shall be developed after an initial meeting with

representative(s) of the Board to set expectations and responsibilities. The plan shall include supervision of practice, regular review of all client cases and files (to include electronic communication), audio and/or videotaping sessions, and other elements as determined by the supervisor. The plan shall also include regular face-to-face meetings with Respondent, at least weekly during the first year and at least monthly thereafter. The plan may be revised from time to time as determined by the supervisor, but must meet the requirements of this Agreed Order and must be submitted to the Board for approval within fourteen (14) days of revision. The plan shall also include regular activity and progress reports submitted directly to the Board by the supervisor. The activity and progress reports shall be due the first day of January, April, July, and October of each year.

e. Respondent shall provide the supervisor access to all files, any tapes of sessions, and all other materials and/or communications, as determined by the supervisor. Responsibility for adhering to the plan including ensuring timely submission of activity and progress reports rests with Respondent.

4.1.2 Respondent shall maintain fully documented files on clients seen and consulted for any and all professional services. Any and all telephone and e-mail communications with clients and others shall be documented and included in the files, in addition to all other required documentation. Therapy files shall be maintained using a SOAP format and shall include a current diagnosis and treatment plan. The supervisor shall establish requirements and format for all other types of files.

4.1.3 Respondent's records shall be subject to random audits to be conducted by the Board's designee. Respondent shall pay the costs of these audits.

4.1.4 Respondent shall pay a fine of fifteen thousand dollars (\$15,000). Five thousand dollars (\$5,000) shall be paid within ninety (90) days of the effective date of this Agreed Order, and the remainder shall be paid according to a payment plan not exceeding five (5) years and established with the Board. Payment shall be by certified or cashier's check or money order, made payable to the Department of Health, mailed to the Department of Health, Examining Board of Psychology, P.O. Box 1099, Olympia, WA 98507-1099.

4.1.5 Within sixty (60) days of the effective date of this Agreed Order, Respondent shall submit to, at her own expense, an evaluation by a psychiatrist or psychologist approved in advance by the Board according to the Board's policy on supervisors and treatment providers. Respondent shall execute releases to permit the evaluator to communicate with all current and recent mental health professionals providing evaluation or therapy to Respondent. The evaluator shall complete the evaluation and submit a written report to the Board and to the supervisor within sixty (60) days of commencing the evaluation. If the evaluator recommends therapy, Respondent shall follow the recommendations.

4.1.6 If recommended by the evaluator pursuant to paragraph 4.1.5, Respondent shall enter or continue therapy with a psychologist or psychiatrist approved in advance by the Board. The treating provider shall have expertise in addressing boundary issues with mental health practitioners. The treating provider shall be furnished a copy of the Second Amended Statement of Charges and this Agreed

Order. The treating provider shall submit quarterly written reports directly to the Board and to the supervisor describing Respondent's progress in therapy with particular attention to issues related to the events described in the Second Amended Statement of Charges and Respondent's future management of these issues. Therapy shall occur on a schedule and for a duration to be determined by the treating provider, but therapy shall not cease until the treating provider certifies to the Board that Respondent has adequately addressed the relevant issues to a point that she is able to practice with reasonable safeguards for clients.

4.1.7 Respondent shall have no further contact with any of the clients identified in this proceeding.

4.18 Any periods during which Respondent is not in active practice in the state of Washington for at least ten (10) hours per week shall not count towards the reduction of the terms of this Agreed Order. Respondent shall inform the Board in writing of any periods of active practice of less than ten (10) hours per week within thirty (30) days of commencement and cessation of the period.

4.2 Within ten (10) days of the effective date of this Agreed Order, Respondent shall thoroughly complete the attached Healthcare Integrity and Protection Data Bank Reporting Form (45 CFR part 61) and return it to the Department of Health, Adjudicative Clerk Office, P.O. Box 47879, Olympia, WA 98504-7879.

4.3 Respondent shall obey all federal, state, and local laws and all administrative rules governing the practice of the profession in the state of Washington.

4.4 Respondent shall assume all costs of complying with this Agreed Order.

4.5 If Respondent violates any provision of this Agreed Order in any respect, the Board may take further action against Respondent's license.

4.6 Respondent shall inform the Board in writing of any change in her residential and/or business address within thirty (30) days of such change, during the period of the stayed suspension under this Agreed Order.

4.7 In the event that Respondent should leave the state of Washington to reside or to practice outside the state of Washington, Respondent shall notify the Board in writing of the dates of departure and return and the destination within thirty (30) days of departure. Periods of residency or practice outside the state of Washington will not apply to the reduction of the term of this Agreed Order. Respondent agrees that the Board may communicate with the licensing authority in any other jurisdiction regarding the terms, conditions, and/or stipulations under this Agreed Order.

4.8 Respondent may petition for modification of this Agreed Order or for reinstatement at such time as she has completed five (5) years of supervised practice in the state of Washington. The Board may impose such conditions as it then determines appropriate.

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I, LAURA BROWN, Ph.D., Respondent, certify that I have read this Stipulated Findings of Fact, Conclusions of Law and Agreed Order in its entirety; that my counsel of record, Kenneth S. Kagan, has fully explained the legal significance and consequence of it; that I fully understand and agree to all of it; and that it may be presented to the Board, without my appearance. If the Board accepts the Stipulated Findings of Fact, Conclusions of Law, and Agreed Order, I understand that I may received a signed copy.

LAURA S. BROWN, Ph.D.
Respondent

Date

KENNETH S. KAGAN, WSBA #12983
Attorney for Respondent

Date

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Section 5: ORDER

The Examining Board of Psychology accepts and enters this Stipulated Findings of Fact, Conclusions of Law, and Agreed Order.

DATED: _____.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
EXAMINING BOARD OF PSYCHOLOGY

Panel Chair

Presented by:

CHRISTINE O. GREGOIRE
Attorney General

ROBERT C. HARGREAVES, WSBA #8761
Assistant Attorney General

Date

FOR INTERNAL USE ONLY. INTERNAL TRACKING NUMBERS:

PROGRAM NOS. 98-10-0004PY & 99-02-0006PY

STIPULATED FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND AGREED ORDER
Docket No. 99-12-A-1016PY

PAGE 12 OF 12

HEALTHCARE INTEGRITY AND PROTECTION DATA BANK MANDATORY REPORTING COLLECTION FORM

The Healthcare Integrity and Protection Data Bank (HIPDB) is a national health care fraud and abuse data collection program for reporting and disclosing certain final adverse actions taken against health care providers, suppliers, or practitioners and requires that State Government Agencies report all final adverse actions. Please complete and return this form.

FOR DEPARTMENT USE ONLY	
PROFESSION NAME	Psychology
DOCKET NUMBER	99-12-A-1016 PY
CASE NUMBER(s)	98-10-0004;99-02-0006

FOR RESPONDENT TO VERIFY (COMPLETE IF APPLICABLE)

PERSONAL INFORMATION

LAST NAME	FIRST NAME	MI
BROWN	LAURA	S

LICENSE NUMBER	SOCIAL SECURITY NUMBER	DATE OF BIRTH	GENDER
PY00000615	4 - DOH Licensee Socia...	12/24/1952	F

ADDRESS INFORMATION

PROFESSIONAL SCHOOL(s) (List up to 5)

ADDRESS INFORMATION	SCHOOL NAME	GRAD YR
4527 1ST AVE NE		
SEATTLE WA 98105		

ALIAS NAMES (List up to 10)

LAST NAME	FIRST NAME	MI

ORIGINAL

MEMORANDUM

Date: 03-10-2000

To: File #98-10-0004PY/Laura Brown Ph.D.

From: Gary E. Reed, Supervising Investigator 

Subj: Additional Investigative Request

I was asked to locate witness ^{6 - Mental health information, Adults - I...} Ph.D. who moved back to Georgia. Her address is: 1191 Forrest Blvd., DeCatur, Georgia 30030, telephone #404-534-9915. She has indicated in all my contacts with her that she is absolutely willing to come back up to Washington to testify as needed.

I was asked to obtain from the respondent, Laura Brown, Ph.D., her complete file on Dr. ^{6 - Mental health information, Adults - I...} to include all e-mail correspondence, billing records, consultation notes and any progress notes. These have now been obtained, and are in a small box labeled Brown (^{6 - Mental health infor...}).

I was asked to have the respondent Laura Brown, Ph.D. produce all her e-mails, and any other records regarding the complainant, ^{7 - Name - Whistleblow...}, MD, that she has not yet produced. Also, the respondent was asked to produce any additional documentation regarding her diagnosis and treatment of ^{7 - Name - Whistleblow...} to us immediately. These records have been obtained and are contained in one small box and one large box.

Note – In a letter dated March 7, 2000, and received on March 8, 2000, the respondent's attorney represents he has sent the ^{7 - Name - Whistleblow...} and Laura ^{6 - Mental health infor...} materials requested. He states, "You now have everything that Dr. Brown has."

I was also asked to contact the complainant ^{7 - Name - Whistleblowe...} and request her entire body of e-mails from 1997 on from the time that Dr. ^{6 - Mental health inform...} entered into the picture. I was requested to ask ^{7 - Name - Whistleblowe...} to provide one copy that is unmarked and suitable for use as an exhibit, and another copy, in which she identifies the writers in the margins. These copies of e-mails (marked and unmarked) have been obtained from the complainant, ^{7 - Name - Whistleblowe...} ^{7 - Name - ...} notes that 4 weeks worth of e-mail during May to June 1997 is missing, as she was away from home and using a friend's computer. The e-mails are in the one box with ^{7 - Name - Whistleblower R...} return address on the box.

When I contacted the Federal Medicare investigator, she states they have the case, but really had not yet started their investigation. The person to contact in regard to the status of the federal investigation is Cory L. Johnson, Special Agent, U.S. Department of Health & Human Services, Office of Inspector General, Office of Investigations, PO Box 61220, Seattle, WA 98121, tel.#206-615-2260.

GER


ACTIVITY REPORT

1. 01-05-00 Composed and sent LofC for additional investigation items requested by the AAG to the respondent and her attorney certified mail.
2. 01-06-00 Sent LofC request to the respondent and her attorney for the documents requested by the AAG. Both sent by certified mail.
3. 01-25-00 Called [7 - Nam...] - she says she will get working on the e-mails. Waiting for her partner to print them off for her. Reminded her we only need from 1997 on.
4. 02-23-00 Received e-mail the copies of the e-mails are on their way to me.
5. 02-24-00 Received e-mails from [7 - Name - Whistleblo...], the complainant. Called Lobsenz and he says he got an e-mail from the respondent and she is not going to make the 03-01-00 deadline due to problems she is having with her domestic partner. He thinks probably if she has any additional records it would be e-mails. Called and left message with AAG as to what she wants to do. AAG called and will check and call me back. AAG called back and I faxed her a copy of the LofC I sent respondent and her attorney and a blank 5-day demand letter form to see as well.
6. 02-25-00 Sent final letter to the attorney for the respondent for the patient records request of 01-06-00. Sent the letter, a copy of the 01-06-00 request letter, and a copy of 18.130.180 (8) statute, per the recommendation of the AAG.
7. 03-08-00 Received 3 boxes of records from the respondent's attorney and a letter stating these are all the records his client has.
8. 03-10-00 Drafted completion memorandum regarding the additional investigation.

Gilbert, Margaret

From: Menger, Lori
Sent: Monday, September 17, 2001 11:00 AM
To: Anderson, Kathy
Cc: Hargreaves, Bob (ATG); Gilbert, Margaret
Subject: Expert contract - Laura Brown



Bersoff_CPAR_form
.doc



Bersoff_ltr.doc



XPRTWIT.DOC

Attached please find the contract, CPAR & copy of letter sent to expert in this matter.

1 - Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's agent

Lori Menger, Paralegal
(360) 236-4878

"The Department of Health works to protect and improve the health of people in Washington State."



**CONTRACT PROCESSING
ACTION REQUEST (CPAR)**

1. CONTRACT/AMENDMENT NUMBER 09/01/01 through 09/01/02					2. CONTRACT & AMENDMENT NUMBER N10509				
3. SUBMITTING PROGRAM HPQAD #2									
4. PROGRAM/CONTRACT MGR'S NAME Lori Menger, Paralegal					PHONE 360- 236-4878			MAIL STOP 47860	
5. LEGAL NAME OF CONTRACTOR 3 - Consulting expert case review -Facts known a...					6. CONTRACTOR DOING BUSINESS AS (DBA) Psychologist				
7. PRINCIPAL OFFICER(S) HAVING CONTROLLING INTEREST IN THE BUSINESS (OWNER, DIRECTOR, CHAIRPERSON)					NAME			PHONE	
								610-649-8448	
8. MAILING ADDRESS OF CONTRACTOR 3 - Consulting expert case review -Facts ...									
9. MAILING ADDRESS OF DBA FACILITY (if different from Contractor)									
10. UNIVERSAL BUSINESS IDENTIFIER			501c3 designated <input type="checkbox"/> Yes <input type="checkbox"/> No		11. FEDERAL EMPLOYER ID # or SOCIAL 3 - Consulting expe...			12. CONTRACTOR IS: <input checked="" type="checkbox"/> For Profit <input type="checkbox"/> Not for Profit <input type="checkbox"/> Government	
13. CHECK APPLICABLE ROW <input checked="" type="checkbox"/> Contract (complete number 14) <input type="checkbox"/> Contract Amendment (go to 16) <input type="checkbox"/> Letter of Authority			14. CHECK APPLICABLE ROW(S) <input type="checkbox"/> Competitive (documentation included) <input type="checkbox"/> Personal Service <input type="checkbox"/> Sole Source <input type="checkbox"/> Client Service <input type="checkbox"/> Interagency Agreement <input checked="" type="checkbox"/> Expert Witness			15. IF APPLICABLE CHECK ROW AND FILL IN CERTIFICATION # <input type="checkbox"/> Contractor is a certified minority/women's business enterprise. <input type="checkbox"/> Contractor Certification Number: NY State			
16. DESCRIBE THE SERVICE/GOODS TO BE PROVIDED BY THE CONTRACTOR OR THE PURPOSE OF THE CONTRACT/AMENDMENT Provide expert assistance to the Department of Health, Psychology Board, regarding action taken against Laura Brown, Ph.D.									
17. EXPLAIN WHY THIS SERVICE CANNOT BE PERFORMED BY PERSONNEL OF DOH OR PERSONNEL OF ANOTHER WASHINGTON STATE GOVERNMENT AGENCY To act on behalf of the Department of Health as an expert witness.									
18. ACCOUNT CODE TO BE CHARGED ON EXPENDITURE DOCUMENTS									
FUND	APPN INDEX	PROG. INDEX	PROJECT	MASTER INDEX	SUB OBJ	SUB SUB OBJ	AMOUNT		BPS INITIAL
02g	330	62730	9999	62730600			\$200.00/hour for review \$250.00/hour for expert witness services		
							Not to exceed \$10,000		
19. ABOVE FUNDING INCLUDES FEDERAL FUNDS <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Sub-recipient <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No TOTAL a. If yes, enter amount federal funds \$ and b. enter Catalog of Federal Domestic Assistance (C.F.D.A.) number(s)									
20. CONTRACTOR/CONTRACT STAFF PAST (2 yrs) OR PRESENT WASHINGTON STATE EMPLOYEE <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Ethics Board Review <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No									
NAME			AGENCY LAST EMPLOYED AT			POSITION		TERMINATION DATE	
21. DOES THIS CONTRACT ANTICIPATE PURCHASE OF VEHICLE(S) OR FIXED ASSETS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, attach list of proposed purchases									
22. INFORMATION SYSTEMS REVIEW <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved			SIGNATURE					DATE	
23. SUBMITTING PROGRAM CERTIFICATION I hereby request DOH Contracts Management to initiate the action referenced above. I certify that the information contained herein (including all pages attached hereto) is true, correct, and complete and that funds as described in Item 18 are obligated and available for payment of services rendered and goods purchased under this contract.									
SIGNATURE					NAME (TYPE/PRINT)			TITLE	
					SUE SHOBLOOM			DIRECTOR	
ADDRESS 1300 Quince Street Olympia WA 98507					PHONE 360-236-4995			DATE	

September 17, 2001

3 - Consulting expert case review -Facts known and/or ...

Subject: Laura Brown, Ph.D.

Dear Dr. 3 - Consulting...

Thank you for agreeing to provide an expert review regarding our case regarding Laura Brown, Ph.D. The files relating to this matter are being sent separately. Please take the appropriate precautions to protect the identity of the clients and the Respondent.

The scope of your review is to determine if there is any evidence, in your expert opinion, of conduct indicating negligence, incompetence, or malpractice. Another way to consider the scope is to determine whether any care this patient received fell below the standard of care which would have been provided by a reasonably prudent psychologist.

You will be compensated for your time reviewing these materials and composing your report at the rate of \$200.00 per hour, if a written report is requested after your initial oral report. Please document the time spent on the case and provide a completed form A-19-1A (enclosed) to support payments to you. Compensation for testimony, including depositions, will be at the rate of \$250.00 per hour.

The contract will be sent to you under separate cover in the next week or so. Please feel free to contact me should you have any questions after reviewing the document. After reviewing the contract, please sign it and return it, in the enclosed pre-addressed envelope. We will compensate you for out-of-pocket expenses related to this consultation including long distance telephone calls and faxes. Please attach a copy of

September 17, 2001
Page Two

your telephone bill identifying the calls that are to be reimbursed. You will also be reimbursed for travel expenses at the rates applicable to government employees. If overnight accommodations are necessary, a copy of the billing must be provided as well.

Under state law, expert reviewers and witnesses are immune from liability in any civil or criminal suit based on disciplinary proceedings or official acts performed in the course of your duties. (RCW 18.130.300). This helps provide you with assurance that you can be completely candid, honest, and forthright in your assessment. Thank you for your invaluable assistance to the Department of Health.

Sincerely,

Lori Menger, Paralegal
Phone: 360-236-4878
Fax: 360-236-4930
E-mail: Lori.Menger@doh.wa.gov

Enclosure

cc: Bill Hargreaves, AAG
Margaret Gilbert



**THE STATE OF WASHINGTON DEPARTMENT OF HEALTH
AND**

3 - Consulting expert case review -Facts ... **JD, PH.D.**

CONTRACT FOR EXPERT SERVICES FOR SPECIFIED CASE

In consideration of the promises, conditions, and performances set forth below, the parties agree as follows:

I. PURPOSE

- A. The purpose of this contract is to obtain the services of an experienced and qualified expert, independent of state employment, hereafter referred to as EXPERT, to assist the Department of Health, Examining Board of Psychology, hereafter referred to as DOH, in its review/investigation of **Laura Brown, Docket No. 99-12-A-1016PY**.

EXPERT will be expected to provide testimony, as needed by DOH, at any disciplinary hearing or other administrative proceeding held in conjunction with the above noted case.

- B. The State of Washington acting by and through DOH requires EXPERT services of the above named EXPERT, who certifies that He/she:
- is familiar with the clinical practice of the specialty or the subject matter; and
 - does not stand to gain a business advantage over the individual under review.

II. CONTACTS

A. EXPERT Information:

Name/Title: 3 - Consulting expert case review -Facts known and...

Address: 3 - Consulting expert case review -Facts known and/or opinions held by a non-testifying exp...

Telephone Number: 3 - Consulting expert case rev...

FAX Number: (610) 658-0844

Social Security Number or Federal Tax ID Number: 3 - Consulting expert...

Washington State UBI Number:

Professional Credential Number(s)/State(s): Bar member, Maryland, WA D.C., PA
Ph.D. NY University 1965

B. DOH Contact Information:

Name(s): Lori Menger

Address: PO Box 47860

Telephone Number(s): (360) 236-4878

FAX Number(s): (360) 236-4930

E-Mail Address: Lori.Menger@doh.wa.gov

III. SCOPE OF SERVICES TO BE PERFORMED

A. Contract Duration

1. Subject to its other provisions, the effective date of this contract will be **September 1, 2001 and continue through September 1, 2002**, unless terminated sooner as provided herein.
2. DOH will notify EXPERT in writing when to proceed. No work will commence prior to written notification from DOH.

B. EXPERT's Duties

1. EXPERT's Scope of Work may include, but not be limited to, document review, case consultation, patient evaluation, expert testimony, and as further described by the work requirements below.
2. Work requirements specific to this case are:

Case file initial review – oral report to AAG Hargreaves and/or Staff Attorney Gilbert due on or before November 1, 2001;

Written report to be done only upon request by AAG Hargreaves and/or Staff Attorney Gilbert. If such a written report is requested, said report shall be completed within four (4) weeks of request;

Expert testimony/deposition – Dr. 3 - Consult... shall make himself reasonably available for deposition and/or expert testimony.

IV. COMPENSATION

EXPERT shall be paid by DOH for services rendered and direct expenses incurred in performance of work under this agreement as hereinafter provided.

A. Amount

The maximum payment for services rendered shall be at the following rates. Total amount to be paid for services shall not exceed specified amounts without written amendment from DOH

\$200.00 per hour for EXPERT's Review services.

\$200.00 per hour for EXPERT's Witness services.

\$_n/a_ fee for EXPERT's Evaluation and Assessment services.

B. Travel and Subsistence

Travel costs include costs of transportation (airfare, rental cars, etc.), mileage, lodging, and subsistence incurred by EXPERT in travel status while on business for DOH. DOH will reimburse EXPERT for travel expenses in accordance with the rates allowed for State of Washington employees as regulated by the Office of Financial Management. All lodging and transportation arrangements will be made by DOH for EXPERT unless otherwise agreed to in writing between the parties.

C. Requests for Payment/Reimbursement

Requests for payment and/or reimbursement shall be submitted by EXPERT on state voucher request form A19-1A provided by DOH. EXPERT shall submit completed and signed vouchers upon completion of the work requirements or other appropriate phase of EXPERT's services as determined by DOH. Each request for payment shall include a state voucher request form (citing the Case Number) and supporting documentation. The supporting documentation will identify the name, hours worked, rate of pay, and the amount sought in payment. In addition, direct cost expenses shall be itemized on the invoice.

D. Direct costs

Direct costs include, but are not limited to, photocopying, transcription services, x-ray duplication, and postage.

V. INDEPENDENT CONTRACTOR STATUS

EXPERT will be deemed an independent contractor for all purposes. EXPERT and the employees of EXPERT will not in any manner be deemed employees of DOH. EXPERT will be solely responsible under the Worker's Compensation Act on behalf of his/her employees, agents, or subcontractors while performing work or services required of EXPERT.

VI. ASSIGNMENT

The services to be furnished under the terms of this agreement will be performed by EXPERT. EXPERT and EXPERT's employees will not assign or subcontract performance to others unless specifically authorized in writing by DOH. EXPERT is responsible for ensuring that all employees, agents, and subcontractors comply with the terms of this agreement.

VII. CONFIDENTIALITY

EXPERT will keep confidential all information and documents developed by or made available to EXPERT, including but not limited to, all analyses, conclusions, and/or opinions, and patient records. EXPERT will not reveal any such information to any other person, organization, or entity except DOH without the express written consent of DOH.

VIII. IMMUNITY

EXPERT when acting on behalf of the DOH Secretary, or boards or commissions is immune from suit in any action, civil or criminal, based on any disciplinary proceedings, or other official acts performed in the course of their duties in accord with 18.130.300 RCW.

IX. INDEMNITY

Pursuant to statute and case law, EXPERT, in performing this contract, releases and agrees to hold DOH harmless from any claims, demands, loss of any nature, and all other causes of action, at law or equity, arising out of EXPERT or EXPERT's employees, agents, or subcontractors willful or negligent acts, errors, or omissions.

X. COMPLIANCE WITH FEDERAL AND STATE LAWS

- A. EXPERT agrees to observe all laws, regulations, and policies of the United States and the State of Washington affecting performance under this agreement. If any provision of the agreement will be deemed in conflict with any statute, regulation, or rule of law, such provision will be deemed modified to be in conformance with said statute, regulation or rule of law. Any part that is deemed void or illegal will not void the entire clause.
- B. For the purposes of this agreement, EXPERT will not engage any professional or technical personnel who are or have been at any time during the period of the agreement or during the negotiation of this agreement in the employ of DOH except regularly retired employees, without written consent of DOH.
- C. EXPERT and EXPERT's agents and subcontractors agree to follow all federal and state laws, regulations, and policies against discrimination. EXPERT and his agents or subcontractors agree not to discriminate in employment, either directly or indirectly, because of a person's age, sex, sexual orientation, marital status, creed, color, national origin, or the presence of any sensory, mental, or physical handicap, unless based upon a bona fide occupational qualification.

XI. RECORD KEEPING

EXPERT will maintain and submit detailed records relating to the expenses and hourly rate charges incurred for the performance of the work required under this agreement. All records supporting every request for payment will be maintained in a manner that will provide an audit trail to the expenditures for which state support is provided. Original source documents will be maintained by EXPERT and made available to DOH or a duly authorized audit representative upon request. EXPERT further agrees to keep all relevant records and files for a period of at least three (3) years after the termination date of this agreement or the final payment date, whichever is latest. If any litigation, claim, or audit is started before the expiration of the three-year retention period, the records will be retained until all litigation, claims, or audit findings involving the records have been resolved.

XII. APPLICABLE LAWS

This agreement will be deemed executed in the State of Washington and the laws of the State of Washington will govern the interpretation and application of its provisions. Venue for any suites between EXPERT and DOH arising from this agreement shall be brought and maintained in the Superior Court of Thurston County for the State of Washington.

XIII. TERMINATION

- A. Either party may terminate this agreement at any time, by providing 15 days advance written notification or by oral notification followed by written confirmation, for any reason whatsoever, provided that DOH will pay EXPERT at the agreed rate for that work performed according to the scope of work and the terms of this agreement prior to such termination.
- B. In the event this agreement is terminated prior to completion, the original copies of all reports and other data furnished to EXPERT by DOH and documents prepared by EXPERT prior to termination will become and remain the property of DOH and may be used by DOH without restriction.

XIV. AMENDMENTS/MODIFICATIONS

- A. This Contract, and appendices incorporated herein, contain the entire understanding between the parties. This agreement will continue in full force and effect until amended, modified, or terminated by the parties. To be effective, subsequent modification(s) or amendment(s) will be expressed in writing, signed by EXPERT and DOH, and made part of the original agreement.

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- B. No subsequent modification(s) or amendment(s) of this agreement will be of any force or effect unless in writing and signed by EXPERT and DOH, and made part of this agreement.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH:

EXPERT:

SIGNATURE

SIGNATURE

DATE

DATE



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

September 17, 2001

3 - Consulting expert case review -Facts known and/or op...

Subject: Laura Brown, Ph.D.

Dear Dr. 3 - Consulting...

Thank you for agreeing to provide an expert review regarding our case regarding Laura Brown, Ph.D. The files relating to this matter are being sent separately. Please take the appropriate precautions to protect the identity of the clients and the Respondent.

The scope of your review is to determine if there is any evidence, in your expert opinion, of conduct indicating negligence, incompetence, or malpractice. Another way to consider the scope is to determine whether any care this patient received fell below the standard of care which would have been provided by a reasonably prudent psychologist.

You will be compensated for your time reviewing these materials and composing your report at the rate of \$200.00 per hour, if a written report is requested after your initial oral report. Please document the time spent on the case and provide a completed form A-19-1A (enclosed) to support payments to you. Compensation for testimony, including depositions, will be at the rate of \$250.00 per hour.

The contract will be sent to you under separate cover in the next week or so. Please feel free to contact me should you have any questions after reviewing the document. After reviewing the contract, please sign it and return it, in the enclosed pre-addressed envelope. We will compensate you for out-of-pocket expenses related to this consultation including long distance telephone calls and faxes. Please attach a copy of



September 17, 2001
Page Two

your telephone bill identifying the calls that are to be reimbursed. You will also be reimbursed for travel expenses at the rates applicable to government employees. If overnight accommodations are necessary, a copy of the billing must be provided as well.

Under state law, expert reviewers and witnesses are immune from liability in any civil or criminal suit based on disciplinary proceedings or official acts performed in the course of your duties. (RCW 18.130.300). This helps provide you with assurance that you can be completely candid, honest, and forthright in your assessment. Thank you for your invaluable assistance to the Department of Health.

Sincerely,

A handwritten signature in cursive script that reads "Lori Menger".

Lori Menger, Paralegal
Phone: 360-236-4878
Fax: 360-236-4930
E-mail: Lori.Menger@doh.wa.gov

Enclosure

cc: Bill Hargreaves, AAG
Margaret Gilbert



PRIORITY

DONE

Ph.D.
Maria Root 206 324 8105

Psychiatrist-

10/26/99 Fed Reg.

Final Adverse Actions

§ 61.011 #8

p57411 § 61.7

NOTES:

CPS-1142

Gilbert, Margaret

From: Boden, Janice
Sent: Monday, August 06, 2001 3:58 PM
To: O'Neal, Kim (ATG); Hargreaves, Bob (ATG)
Cc: Gilbert, Margaret
Subject: FW: Disciplinary Case Consult

1 - Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's agent

"Working to Protect and Improve the Health of People in Washington State"

This email is from:

Janice K. Boden, Program Manager
Examining Board of Psychology
Washington State Department of Health
P.O. Box 47869 - Olympia, Washington 98504-7869
Voice: (360) 236-4912 Fax: (360) 664-9484
Email: <janice.boden@doh.wa.gov>

NOTE: This message may be confidential. If you receive it by mistake, please notify the sender and delete the message. All messages to and from the Department of Health may be disclosed to the public.

-----Original Message-----

From: RCBARDEN@aol.com [mailto:RCBARDEN@aol.com]
Sent: Monday, August 06, 2001 3:54 PM
To: Janice.Boden@doh.wa.gov
Subject: Disciplinary Case Consult

8/6/01

Greetings Janice,

I have returned from vacation and will be in my office this week and next. I look forward to consulting with you regarding the case we discussed last week. As we discussed I am sending you my resume.

Best wishes,

R. Chris Barden, Ph.D., J.D.

R. Christopher Barden, Ph.D., J.D., LP
Western Offices
1093 East Duffer Lane
North Salt Lake, Utah 84054

National Pager 888-947-6281; FAX (253) 663-6418
E-mail: rcbarden@aol.com

Attorney at Law (Minnesota)
Licensed Psychologist (Minnesota and Texas)
Litigation, Science and Legislation Consultant

CONSULTANT BIOGRAPHICAL SUMMARY

R. Christopher Barden, Ph.D., J.D., LP, has often been introduced as "the only licensed psychologist and licensed attorney in America to receive two national research awards in psychology and a law degree with honors from

Harvard - Consulting Psychology
program
ethics info.

923 1422

29400
Sun 26 1200
754-4910

Meninger -
walk in Clinic -

Harvard Law School." Dr. Barden received his training in psychology from the University of Minnesota, the University of California at Berkeley, and the U.S. Veterans Administration/Stanford University Medical Center. As a result of his research and publishing efforts in the field of psychology, Dr. Barden received several Fellowships from the National Institute of Mental Health and was awarded a national Young Scholar Award from the Foundation for Child Development and a national Faculty Scholar Award from the W. T. Grant Foundation. Dr. Barden has held faculty positions in a highly ranked graduate science department, a highly ranked medical school and a highly ranked law school. Dr. Barden has published in, and served as an editor or reviewer for, several of the most highly regarded journals and texts in psychology, medicine and law including Developmental Psychology, Child Development, Psychological Bulletin, Ambulatory Pediatrics, Advances in Child Clinical Psychology, the Journal of Personality and Social Psychology, the Journal of the American Academy of Psychiatry and the Law, the Journal of Plastic and Reconstructive Surgery, the Harvard Journal of Law and Public Policy, and the Harvard Journal on Legislation. Dr. Barden has given invited addresses to the American Bar Association, the American Psychological Association, the American Psychiatric Association, the U.S. Surgeon General's Conference, the International Assn. of Plastic and Reconstructive Surgeons and many other groups.

After years of psychological research, teaching and clinical work, Dr. Barden turned his attention to legislative, social and public service issues. As the psychologist for the Craniofacial Surgical Teams of the University of Utah School of Medicine and the Humana International Craniofacial Institute, Dr. Barden studied the ways children and adults cope with highly stressful and traumatic situations. Intrigued by the legislative and public policy issues such patients presented, Dr. Barden attended Harvard Law School (J.D., cum laude). With colleagues in law, medicine and public policy, Dr. Barden helped draft model legislation mandating improvements in the emergency medical system for children. This work was published in the Harvard Journal on Legislation. Some version of this proposed legislation has been adopted in more than a dozen states.

Following these efforts to reform the Emergency Medical System for Children, Dr. Barden began a systemic project to reform the mental health system. Using a five prong approach of education, regulation, litigation, legislation and prosecution Dr. Barden focused on the problem of dangerous, pseudoscientific "therapies" such as "recovered memory therapy" and "multiple personality" "therapies. Thanks to the collaborative, multidisciplinary efforts of scientists, mental health practitioners and attorneys, after five years of successful lawsuits, legislative hearings, prosecutions and licensing actions these dangerous, junkscience methods and procedures have been largely eradicated across the United States.

Dr. Barden currently practices both law and psychology and serves as an expert witness/consultant in both fields. He has also served as an Adjunct Professor of Law at the University of Minnesota Law School where he taught "Law, Psychology and Psychiatry" and the Hamline University Law School where he taught "Health Care Regulation" and "Law, Psychology and Psychiatry". In the 1990s, the Governor of Minnesota, the Hon. Arne Carlson, appointed Dr. Barden to the Minnesota Higher Education Coordinating Board and the Minnesota State Board of Psychology.

As an expert witness and speaker, Dr. Barden has testified or spoken in a number of states on the validity and reliability of social science theories, methodologies and information. As an attorney and consultant, Dr. Barden has won several landmark cases resulting in record setting jury verdicts and settlements against practitioners of inappropriate psychotherapies.

Dr. Barden has been interviewed regarding complex science issues by U.S. Congressional Quarterly, CBS 60 Minutes, ABC Nightline, the CBS Evening News, TIME, Newsweek, U.S. NEWS & WORLD REPORT, INSIGHT, THE NEW YORKER, the L.A.

Times, the New York Times, the Chicago Tribune, the London BBC, National Public Radio, ABC NEWS 20/20 and many other media sources.

EDUCATION AND AWARDS

B.A. University of Minnesota 1976.

Summa Cum Laude / Phi Beta Kappa / (4.0 G.P.A. of 4.0 possible)

Distinguished Graduating Senior Award, 1976

University of California, Berkeley, Graduate School, 1976-77.

National Institute of Mental Health Graduate Fellowship, 1976-77.

National Institute of Mental Health Graduate Fellowship, 1977-78.

Governor's Internship Award, Stillwater Prison Psych. Unit, 1978

National Science Foundation Graduate Stipend, 1978-79

Eva O. Miller Social Science Fellowship Award, U. of MN, 1979-80.

Palo Alto V. A. Medical Center/Stanford University Medical Center 1979-80

Clinical Psychology Internship.

Ph.D. University of Minnesota, Child and Adult Clinical Psychology 1982

Foundation for Child Development National Award for Young Scholars in Social and Affective Development, 1982-1983.

L.P. Licensed Psychologist Texas (1984) # 2624

L.P. Licensed Psychologist Minnesota (1988) # 1460

National W. T. Grant Foundation Faculty Scholar Award for Research in Mental Health, Stress and Coping 1987.

J.D. cum laude Harvard Law School 1992

J.D. Attorney at Law State of Minnesota 1992 #0227316

Law and Psychology Intern, Program for Law and Psychiatry, Harvard

Medical School Harvard Law School, Massachusetts Mental Health Center

Mediator Minnesota General Mediation Training certified, 1994

Currently or previously listed in:

Who's Who in the World

Who's Who in America

Who's Who in the Midwest; Who's Who in the South; Who's Who in the West

Who's Who in Medicine and Healthcare

Who's Who Among Human Services Professionals

Who's Who in Science and Engineering

Outstanding Young Men of America

Wisdom Award of Honor

Wisdom Hall of Fame, Fellow Award

SCIENTIFIC AND PROFESSIONAL PEER REVIEW EDITORIAL POSITIONS:

Consulting Editorial Board

APA Journal Developmental Psychology, (1989-1990)

Editorial Consultant/Reviewer

SRCD Journal Child Development

APA Journal Psychological Bulletin

APA Journal Developmental Psychology

APA Journal Journal of Personality and Social Psychology

Harvard Law School Journal Harvard Journal of Law and Public Policy

Harvard Law School Journal Harvard Journal on Legislation

Encyclopedia of Mental Health

AAPL Journal Journal of the American Academy of Psychiatry and the Law

PREVIOUS AND/OR CURRENT MEMBERSHIPS IN SCIENTIFIC AND PROFESSIONAL ORGANIZATIONS

American Psychological Society

Society for Research in Child Development

American Psychological Association
New York Academy of Sciences
Harvard Law School Society for Law and Medicine
Harvard Law School Committee on Sports & Entertainment Law
American Bar Association
Hennepin County Bar Association
American Society of Law, Medicine & Ethics

EXPERIENCE/SKILLS as a psychologist:

Forensic work including testimony before courts, state legislatures and professional ethics committees. Drafting Amicus briefs related to the proper use of psychology in the legal system. Providing training lectures and preparation of training materials to State Criminal Investigators Associations, State Bar Associations, University Law Schools and other organizations.

Methodological analysis e.g., Consulting Editorial Board member for the A.P.A. journal, Developmental Psychology, reviewer consultant for many peer reviewed journals, consultant for research organizations, analysis for media organizations, etc. Recipient of two national research awards in psychology.

Teaching former Coordinator of a highly ranked, APA approved, ChildClinical Psychology Ph.D. Training Program, instructor of undergraduate, graduate and advanced graduate seminar classes in Psychotherapy, Research Methods, Personality Development, Abnormal Psychology, Child Development, Testing and Assessment, and Law and Psychology. Instructor in professional training seminars for psychologists, social workers, psychiatrists, and attorneys.

Diagnostic analysis with adults, children and adolescents

Psychotherapy with adults, children, adolescents, groups and families.

EXPERIENCE/SKILLS as an ATTORNEY :

CIVIL LAW: PROFESSIONAL MALPRACTICE: JURY VERDICTS:

In 1995, Dr. Barden's legal clients were awarded what was reportedly, at that time, the largest jury award in U.S. history for claims of psychotherapy malpractice resulting in emotional injury.

See, Gustafson, Paul. Jury awards patient \$2.6 million: Verdict finds therapist Humenansky liable in repressed memory trial MinneapolisSt. Paul Tribune, 1995 WL 3673222, August 1, 1995.

In 1996, Dr. Barden's legal clients were awarded what was apparently at that time the second largest jury award in U.S. history for claims of psychotherapy malpractice resulting in emotional injury.

See, Gustafson, Paul. Jury awards \$2.5 million in lawsuit against psychiatrist: 'Memories' were induced. MinneapolisSt. Paul Tribune, 1996 WL 6898881, January 25, 1996, 1B

See also, Guthrey, M. and Kaplan, T., 2nd Patient Wins Against Psychiatrist: Accusation of planting memories brings multimillion dollar verdict. St. Paul Pioneer Press, Jan. 25, 1996, 4B

These cases were widely reported in newspapers, on T.V. and radio throughout the U.S. and other countries. Due to the plaintiffs' courage in resisting confidentiality restrictions, it has often been reported that these cases against Dr. Humenansky were instrumental in creating a national psychotherapy negligence bar convincing many lawyers across the U.S. to assist similar patients in the future.

In January of 2001, Dr. Barden's legal clients were awarded what was apparently at that time one of the four largest jury awards in U.S. history for claims of psychotherapy malpractice resulting in emotional injury.

See, Duran, Sarah. Man wins therapy lawsuit and \$2.1 Million, Tacoma Washington, The News Tribune, January 13, 2001.

See, Associated Press. Man wins suit against doctor: Renegade psychiatrist's penalty \$2.1 million, Tacoma Washington, The Seattle Times, January 14, 2001, B3.

CIVIL LAW: PROFESSIONAL MALPRACTICE: SETTLEMENTS:

Since 1995, Dr. Barden has participated in the settlement of many psychotherapy malpractice cases in the United States.

In 1997, Dr. Barden's legal clients received what is apparently the largest settlement in history in a psychotherapy negligence case (\$10.6 Million).

See, Belluck, P. Memory Therapy Leads to a Lawsuit and Big Settlement, The New York Times, Page 1, Column 1, Nov. 6, 1997.

See, Belluck, P. She Recovered Memories, Then Millions in Damages, The New York Times, Nov 9, 1997, Sec. 4, Week in Review, page 2, Column 3.

See, Acocella, J. The Politics of Hysteria, The New Yorker, April 6, 1998, pg. 6479.

See, Hanson, C. Dangerous Therapy. Chicago Magazine, June, 1998, pg. 76113.

Reported over the Associated Press Newswire this story ran in major newspapers and on T.V., radio, internet news, and other media sources in the U.S. and throughout the world. Due to the plaintiffs' courage in resisting confidentiality restrictions, it has often been reported that this settlement was most instrumental in generating significant public awareness of the dangers of "recovered memory therapy" with resulting reforms and significant improvements in the U.S. mental health system.

Dozens of other settlements against "recovered memory therapists" have been obtained by Dr. Barden's legal clients in more than a dozen states.

CRIMINAL LAW:

Dr. Barden served as an expert witness for the Jefferson County District Attorneys Office in rare and nationally reported criminal prosecution of improper "psychotherapy" for the use of dangerous, experimental "therapies" on a psychotherapy patient without informed consent.

See, Rouse, Karen. Rebirthing verdict may curb restraint therapy. Denver Post, April 22, 2001

See, Lowe, Peggy. Ethics specialist blasts 'rebirthing'. Rocky Mountain News, April 13, 2001.

See, Janofsky, M. Girl's Death Brings Ban on Kind of 'Therapy'. New York Times. April 18, 2001

See, ABC NEWS 20/20, broadcast nationally on June 15, 2001.

Dr. Barden served as the lead attorney for the landmark Quattrocchi case in Rhode Island. This longest and most complex (as of 2001) social science

Frye/Daubert hearing (7 experts and 5 attorneys battled through more than a month of hearings and motions) is widely thought to have ended criminal prosecutions in the U.S. based solely on "repressed and recovered memories".

See, Mooney, Tom. Recovered Memory Rejected: Judge rules out key element in landmark case. The Providence Journal. April 28, 1999.

1987-Present. Consultant and Expert Witness. Private Practice in Forensic and Consulting Psychology. Public Policy Consultant.

Special Areas of Interest as a Licensed Psychologist and Consultant.

1. Analyses of the reliability and validity of expert testimony by social workers, psychologists and psychiatrists.
2. Expert witness testimony regarding appropriate use of social science information in the legal system.
3. Training lawyers and psychologists to maximize the truthfulness and effectiveness of social science evidence in legal and therapy settings.
4. Analysis and testimony regarding the suggestibility of children as witnesses in the criminal and civil justice systems.
5. Analysis and testimony regarding the reliability and validity of psychological, social work and psychiatric interview, testing and assessment procedures in the criminal, family and civil justice systems.
6. Analysis and testimony regarding ethical violations by social workers, psychologists, psychiatrists, health care executives and health care organizations in the criminal, family and civil justice systems. Analysis of informed consent and other bioethics and patients' rights issues.
7. Analysis and testimony regarding malpractice by psychiatrists, health care executives and health care organizations.
8. Analysis and testimony regarding research methodology and reliability (Frye and Daubert analysis) of expert testimony regarding psychological theories (e.g. "repression", "dissociation").
9. Analysis and testimony regarding the Rules of Evidence pertaining to scientific methodology and the testimony of social workers, psychologists and psychiatrists.
10. Analysis and testimony regarding public policy issues related to law, social science and mental health issues.
11. Analysis and testimony regarding legislation in the Law and Psychology field. Drafting of legislation regarding regulation of the mental health system.
12. Assisting, teaching and consulting with attorneys on a variety of forensic issues including:
 - A. How to effectively cross examine mental health professionals to protect the integrity of the legal system.
 - B. How to effectively expose improper and unethical behavior and testimony by mental health professionals.
 - C. Locating, selecting and preparing effective and ethical mental health and social science expert witnesses.
 - D. How to conduct effective voir dire procedures to protect the integrity of the legal system.
 - E. Appellate strategy, drafting of interrogatory answers for experts, drafting appellate briefs, drafting opening and closing arguments, trial strategy, assessments of witness credibility and other legal matters.

Fall 1993 1997. Adjunct Professor of Law
University of Minnesota Law School, 1994 1997
Hamline University School of Law 1993 1997

Classes "Law, Psychology and Psychiatry"
Univ. of Minnesota & Hamline Univ. Law School

1. Scientific Method Learning to think like a scientist
2. Expert Testimony Use and Abuse of Social Science in the Legal System
3. Cross Examination of Social Science Witnesses
4. "Repressed Memory Therapy", Boundary Violations and other forms of psychotherapy malpractice
5. Assessments, Tests, and Interviews Reliable and Valid or Fraud on the Court?
6. Children as Witnesses the hazards of suggestibility
7. Regulation of the Mental Health Industry Rules of Ethical Conduct, Licensing Boards and Legal Actions.
8. Legislative Issues in the Mental Health System Informed Consent, Limitations on treatments, Reimbursement Issues

"Health Care Law" Hamline Univ. School of Law
Topics public policy, legal, psychological and economic aspects of Health Care Law.

March, 1996 Present. Attorney at Law in Private Practice. R. C. Barden & Associates. A national law practice (plaintiff, defense and consultant) combined with a national practice as a psychological expert, a legislative public policy consultant and speaker.

January, 1998 present. Advisory Board Member, Minnesota Board of Psychology Public Advisory Board. This board assists in efforts to improve the quality of psychological services in the state of Minnesota.

February, 1997 1998. Advisory Board Member, Minnesota Emergency Medical Services for Children's Resource Center. This board assists in governing the EMSCR Center, a collaborative effort of Children's Health Care, the University of Minnesota, and the EMS Regulatory Board in efforts to improve the quality of emergency medical care for children.

July 1992 March, 1996. Attorney at Lindquist & Vennum, Minneapolis, Minnesota.

July, 1992 present. Attorney. Admitted to Practice, Minnesota Bar, Attorney. Admitted to Practice, Minnesota Bar, License #227316, October 23, 1992.

Admitted to Practice, United States District Court, Minnesota, November 18, 1992.

Admitted to Practice, United States Court of Appeals for the Eighth Circuit, May 24, 1994.

Admitted to practice pro hac vice in Texas, Arizona, Colorado, New Jersey, New York, Rhode Island, Washington, Indiana, Utah, Idaho, Illinois, Wisconsin, South Dakota, Georgia, Arkansas, Texas the Federal District of Rhode Island, and the Federal District of Montana.

February, 1993 1997. Subcommittee Chair, Third U.S. Congressional District Health Care Advisory Committee, Congressman James Ramstad, Minnesota. This committee includes representatives from the Minnesota Medical Association, the Minnesota Hospital Association, other provider groups, the presidents of several group medical practices, and representatives of insurance, supplier and consumer groups. This committee advises Congressman Ramstad on health

care public policy and legislative issues. My committee assembled public policy arguments and data for legislative use.

May, 1993 February 1997. Public Official, State of Minnesota Board Member, Minnesota State Board of Psychology. The Board of Psychology regulates the practice of professional psychology in the State of Minnesota. Members of the Board are selected by the Governor of Minnesota.

Winter, 1993. Public Official, State of Minnesota Board Member, Minnesota Higher Education Coordinating Board, appointed to a six year term by Governor Arne H. Carlson. Winter, 1993. The MHECB regulates colleges, universities, state colleges, community colleges and trade schools in the State of Minnesota.

August, 1989 June, 1992. Harvard Law School Class of 1992. Advisor: Prof. Alan A. Stone (617) 4951000.

1987 1992: W. T. Grant Foundation Faculty Scholar Award Recipient. The W. T. Grant Foundation Faculty Scholar Award (\$175,000) is given to five or fewer professionals in the U.S. each year to support investigations of mental health and coping processes in children and adolescents. The selection committee for this award included the former Surgeon General of the United States, Dr. Julius Richmond of Harvard University; the Chairman of Indiana University's School of Medicine, Dr. Morris Green; Professor W. W. Hartup of the University of Minnesota and other notable experts from anthropology, public policy, congressional committees, and psychology.

19881989: Visiting Asst. Professor of Psychology Gustavus Adolphus College, St. Peter, Minnesota.

19891993; 19851988: University of Utah. Chase Peterson, M.D., President of the University of Utah.

Asst. Research Professor of Medicine, Department of Surgery, University of Utah Medical School, Department of Surgery, 19891993.

Asst. Professor of Psychology and Coordinator of the Child Clinical Psychology Training Program, University of Utah. 19851988.

19851989: Psychological Consultant, Intermountain Craniofacial Surgical Team University of Utah Medical School/ Primary Children's Hospital, Salt Lake City, Utah.

19821987: Psychologist (8487) and/or Psychological Consultant (8287), Texas Craniofacial Center/Baylor Medical Center, Dallas, Tx; National Craniofacial Foundation; Research consultant, Humana International Craniofacial Institute. Kenneth E. Salyer, M.D., Director.

19811984: Asst. Professor of Psychology, Southern Methodist University. Curt McIntyre, Ph.D. and Stan A. Kuczaj, Ph.D., Chairmen.

19801981: Clinical Psychology Intern, Palo Alto Veterans Administration Hospital/Stanford Medical Center Palo Alto, Calif. Behavioral Medicine, Drug Dependency, Neurological Injury, Family Therapy, and Assessment Units. Donald T. Lim, Ph.D. and Richard N. Bale, Ph.D., supervisors.

19791980: Recipient of the Eva O. Miller Social Science Fellowship at the University of Minnesota. Willard W. Hartup, Ph.D.; Norman Garnezy, Ph.D., Program Directors, ChildClinical Ph.D. Training Program.

19781979: Project Coordinator Graduate Stipend, National Science Foundation, Institute of Child Development, University of Minnesota

19771978: Recipient of a National Institute of Mental Health Trainee Fellowship, University of Minnesota.

1976-1977: Recipient of a National Institute of Mental Health Trainee Fellowship, University of California, Berkeley.

PUBLICATIONS, SUBMISSIONS, MANUSCRIPTS, PROFESSIONAL JOURNAL ARTICLES, BOOKS, AMICUS BRIEFS, INVITED COMMENTARY and all forms of PUBLICATIONS, SUBMISSIONS and WORKS UNDER REVIEW OR IN PROGRESS:

Barden, R.C., **Informed Consent in Psychotherapy: A Multidisciplinary Commentary**, Invited article for *The Journal of the American Academy of Psychiatry and the Law*, 2001.

Barden, R. C. "Law, Psychology and Psychiatry: Appropriate and Inappropriate Uses of Social Science Evidence and Testimony in the Legal System." Manuscript in preparation. 2001.

Grove, W. M. and Barden, R.C. (2000) **Protecting the Integrity of the Legal System : The Admissibility of Testimony from Mental Health Experts Under Daubert/Kumho Analyses**, *Psychology, Public Policy and Law*, Vol 5, No. 1, 234-242.

Barden, R. C. and Albert, S. "Informed Consent: An Interview with R. C. Barden" In the series *From the Board of Psychology*. *Minnesota Psychologist*, Jan, 1997, pg. 1112.

Barden, R. C. "Repressed Memories: Science or Myth?", *Internal Medicine, Audio Digest*, Volume 43, Number 4, Feb. 1996. *Interstate Postgraduate Medical Association of North America*, San Francisco, CA.

Barden, R. C. **Scientific Research on the Suggestibility of Children as Witnesses**. Amicus Brief to the Texas State Court of Appeals. Argued by request of the Court on February 1, 1995 in *State v. Perkins*.

Barden, R.C. as Secretary of the Committee together with the Minnesota 3rd U.S. Congressional District Health Care Advisory Board. **The Health Care System of the United States: Access, Cost Containment and other Public Policy Analysis**.

Barden, R. C., Kinscherff, R., George, W., Flyer, R., Seidel, J., & Henderson, D., (1993), **Emergency Medical Care and Injury Prevention Systems for Children: An Economic/Medical/Legal Psychological Analysis and Legislative Proposals**, *Harvard Journal on Legislation*, Vol. 30, No. 2, pgs 461-497.

Some version of our proposed legislation has been enacted by the States of New Jersey (1992), Texas (1993), Utah (1994), Colorado (1995), Hawaii (1996), Louisiana (1996) and other states. These legislative ideas have continued to expand across the U.S. As of July 1997 18 states reported the creation of a separate Emergency Medical System for Children Advisory Board (as required by this legislative proposal) and 15 states required pediatric representation on State EMS Advisory Boards. (See, *EMSC News*, Vol 10, No. 2, Summer 1997).

Comments on Emergency Medical Systems for Children legislation

"Emergency medical services geared to the unique needs of our youngest citizens are absolutely necessary if we are to save critically ill or injured children... This [New Jersey] law could serve as a model for the rest of the United States to follow. Congratulations!"

Antonio C. Novello, M.D., M.P.H., Former Surgeon General of the United States of America, letter dated Sept. 9, 1992.

"This landmark law will save the lives of countless children in New Jersey and will serve as a model for the nation."

Daniel W. Shea, M.D., President, American Academy of Pediatrics, letter

dated Sept. 14, 1992.

"This landmark bill will significantly improve services for critically ill and injured children in New Jersey and will serve as a model for other states... I salute your efforts!"

C. Everett Koop, M.D., Former Surgeon General of the United States of America, in a letter dated Oct. 28, 1992.

Duckworth, K., Kahn, M. & Barden, R. C., (1992), *Mental Disability Law A Student Handbook*. Educational manual for use at the Harvard Law School Harvard Medical School Clinical Practicum.

Barden, R. C., (1990), *Optimal Performance in Law: Maximizing Achievement in Law School Through Mental Training*. Optimal Performance Systems Research, Inc., Cambridge, MA.

Barden, R. C., (1990), *The Effects of Craniofacial Deformity, Chronic Illness, and Physical Handicaps on Patient and Familial Adjustment: Research and Clinical Perspectives*. In B. Lahey and A. Kazdin, Eds. *Advances in Clinical Child Psychology*, Vol. 13, Plenum Press.

RogersSalyer, M., Barden, R. C., & Kuczaj, S., (1990), *Psychosocial issues in the management of cleft lip and palate families*. In J. Bardach (Ed) *The Multidisciplinary Management of Cleft Lip and Palate*, Saunders: Philadelphia.

Barden, R. C., (1990), *Clinical management of the child with a cleft palate*. In Green, M. and Haggerty, R. J. (Eds.) *Ambulatory Pediatrics*. 5th Edition, Harcourt, Brace, and Jovanovich, Inc.

Barden, R. C., Ford, M. E., Jensen, G. A., Rogers, M., & Salyer, K. E., (1989), *Effects of craniofacial deformity in infancy on mother/infant interactions*. *Child Development*, 60, 819-824.

Barden, R. C., Ford, M. E., Wilhelm, W. M., RogersSalyer, M. & Salyer, K. E., (1988), *Emotional and behavioral reactions to facially deformed patients before and after craniofacial surgery*, *Plastic & Reconstructive Surgery*, Vol. 82, No. 3, 409-416.

Barden, R. C., Ford, M. E., Wilhelm, W. M., RogersSalyer, M. & Salyer, K. E., (1988), *The physical attractiveness of facially deformed patients before and after craniofacial surgery*, *Plastic and Reconstructive Surgery*, Vol. 82, No. 2, 229-235.

Zelko, F., Duncan, S. W., Barden, R. C., Garber, J., & Masters, J. C., (1986), *Implicit theories of affect: Adult's predictions of children's affective responses*, *Developmental Psychology*, Vol. 22, No. 1, 109-114.

Barden, R. C., and members of the National Craniofacial Center, *Craniofacial Deformities: Helping Parents to Understand*, F.C.D. Publications, 1986.

Barden, R. C. and members of the National Craniofacial Center *The Craniofacial Team: An Educational Film*, F.C.D., Publications, 1986.

Barden, R. C., Garber, J., Leiman, B., Ford, M. E., & Masters, J. C., (1985), *Factors governing the effective remediation of negative emotion and its cognitive and behavioral consequences*, *Journal of Personality and Social Psychology*, Vol. 49., No. 4, 1040-1053.

Felleman, E., Barden, R. C., Carlson, C. R., Rosenberg, L., & Masters, J. C. (1983). *Children's and Adult's Recognition of Spontaneous and Posed Emotional Expressions in Young Children*. *Developmental Psychology*, Vol. 19, No. 3, 405-413.

Barden, R. C., Garber, J., Duncan, S. W., & Masters, J. C., (1981), Cumulative effects of induced emotional states: Insulation, remediation, and accentuation, *Journal of Personality and Social Psychology*, Vol. 40, No. 4, 750760.

Masters, J. C., Felleman, E., & Barden, R. C., (1981), Experimental studies of emotional states in children, *Advances in Child Clinical Psychology*, B. Lahey and A. Kazdin (Eds.), Vol. 4, Plenum Press.

Barden, R. C., Zelko, F. J., Duncan, S. W., & Masters, J. C., (1980), Children's beliefs regarding the experiential determinants of emotion, *Journal of Personality and Social Psychology*, 39, 968 976.

Masters, J. C., Barden, R. C., & Ford, M. E., (1979), Emotional states, expressive behavior, and learning in children, *Journal of Personality and Social Psychology*, 37, 380390.

Masters, J. C., Furman, W., & Barden, R. C., (1977), Effects of achievement standards, tangible rewards, and selfdispensed achievement evaluations on children's task mastery, *Child Development*, 48, 217224.

FUNDED RESEARCH GRANTS:

(Principal Investigator unless otherwise stated.)

Foundation for Child Development. "Induction and Remediation Effects of Different Modes of Emotional Experience on Cognitive, Social, and Expressive Behavior" (April, 1982).

National Craniofacial Foundation Psychosocial Aspects of Craniofacial Deformity and Craniofacial Surgery, (May, 1981).

National Institutes of Health and the University of Utah Biomedical Research Committee. "The Psychology of Attractiveness and Facial Deformity." (S07RR07092 19851986).

University Research Council of the University of Utah. "The Effects of Attractiveness and Facial Deformity on Personality Development" (19851986).

Team Member for a Grant to the National Craniofacial Foundation from the General Electric Corporation "Treatment, Transportation, and Education for Craniofacially Deformed Children" (\$300,000) (19851987).

Team Member for a Grant to the National Craniofacial Foundation from the American Legion "Production of Parent Education Booklets and Films for Craniofacial Anomalies" (\$29,000) (19851986).

"Physical attractiveness, craniofacial deformity and craniofacial surgery: Studies of stress, coping, and selfcontrol of emotion in children and adolescents." W. T. Grant Foundation Faculty Scholars Program (\$175,000) (19871992).

INVITED ADDRESSES, PROFESSIONAL TRAINING SEMINARS and PROFESSIONAL RESEARCH/POLICY AND RELATED PRESENTATIONS:

Barden, R. C. "Protecting the Integrity of the Legal System: Eliminating Junkscience Testimony with Science Intensive Litigation Methods", American Bar Association Litigation Section National Meetings, Phoenix, Arizona, May 11, 2001.

Chair, R. Nicholas Gimbel, J.D. (Editorial Board, *Litigation: Journal of the Litigation Section of the American Bar Association*); other panel members on this seminar included Ezra Griffiths, M.D. (Yale Medical School and Editor, *Jour. of the American Academy of Psychiatry and the Law*); Ronald Shouten, M.D. (Harvard Medical School); Professor Stephen A. Saltzburg (George

Washington University Law Center); and the Honorable Joseph A. Greenway (Judge, U.S. Federal District New Jersey).

Barden, R. C. Invited Speaker for the U.S. Surgeon General's National Conference. "Strategies to Improve Children's Health Care", in the Panel Ethics, Law, and Health Policy as Tools for Change, OFFICE OF THE SURGEON GENERAL OF THE UNITED STATES, Conference on Children's Oral Health Care 2000, Washington, D.C. June 1213, 2000

Barden, R. C. Moderator of the Law and Policy Panel, OFFICE OF THE SURGEON GENERAL OF THE UNITED STATES, Conference on Children's Oral Health Care 2000, Washington, D.C. June 1213, 2000

Barden, R.C. Invited Speaker for the American Psychiatric Association National Meetings. "Recovered Memories: A Multidisciplinary Analysis" Invited Address in the Symposium "Recovered Memory: Law, Science and the Clinician". Chair, Alan A. Stone (Harvard Law School, Harvard Medical School) other panel members included: Paul R. McHugh (Chair, Johns Hopkins Medical School Psychiatry Dept.); David Spiegel (CoChair, Stanford Medical School Psychiatry Dept.); Dan Schacter (Chair, Harvard University Psychology Dept) and Alan Schefflin (Prof., Santa Clara Law School). American Psychiatric Association Annual Meetings, Chicago, May 16, 2000.

Barden, R.C. "Truth and Responsibility in Mental Health Practices", Invited testimony before the Arizona State Senate, December 1, 1999. Phoenix, Arizona.

Barden, R.C. "Expert Witnesses: Syndromes" Continuing Legal Education Seminar sponsored by the Texas State Bar, Dallas, Texas Oct. 21, 1999.

Barden, R.C. "Reforming the Mental Health System by Legal Processes" Presented to the British False Memory Society at the Royal Aeronautical Society Center, London, England, May 8, 1999

Barden, R.C. "Science and the Legal System: Science Intensive Litigation" Professional training seminar presented at Washington D.C. Bar Association/ National Practice Institute, CLE Seminars, Washington, D.C., November 21, 1997.

Barden, R. C. Confidentiality, Ethics, Record Keeping, & Quality Management, Professional training seminar presented in Portland Oregon for Managed Healthcare Northwest, Behavioral Health Services & Legacy Health Systems, September 25, 1997.

Barden, R.C. "Mental Health Law: The Evolving Standard of Care and Avoiding Malpractice Law Suits" Professional training seminar presented in Boston, MA, September 12, 1997.

Barden, R.C. "Mental Health Law: The Evolving Standard of Care and Avoiding Malpractice Law Suits" Professional training seminar presented in New York City, NY, September 11, 1997.

Barden, R.C. "Mental Health Law: The Evolving Standard of Care and Avoiding Malpractice Law Suits" Professional training seminar presented in Philadelphia, PA, September 10, 1997.

Barden, R.C. "Science and the Legal System: Science Intensive Litigation" Professional training seminar presented at Arkansas Bar Association/ National Practice Institute, CLE Seminars, University of Arkansas Law School, August 22, 1997.

Barden, R.C. "The Future of the Mental Health System: Consumer Protections and the Role of Law" Professional training seminar presented to the Faculty and Graduate Students of the University of Washington, Clinical Psychology

Ph.D. Training Program, May 23, 1997.

Barden, R.C. "Mental Health Law and Ethics" Professional training seminar presented in Minneapolis, Minnesota, May 7, 1997.

Barden, R.C. "Mental Health Law and Ethics" Professional training seminar presented in Milwaukee, Wisconsin, May 8, 1997.

Barden, R.C. "Mental Health Law and Ethics" Professional training seminar presented in Chicago, Illinois, May 9, 1997.

Barden, R.C. "Science, Law and Liberty" Keynote speaker at the Minneapolis Women's Club, April 8, 1997.

Barden, R.C. "Science and the Legal System: Science Intensive Litigation" Professional training seminar presented at University of Minnesota Law School/ National Practice Institute, CLE Seminars, Minneapolis, MN March 24, 1997.

Barden, R.C. "Reforming the Mental Health System: Education, Regulation, Litigation and Legislation" Professional training seminar presented at the False Memory Syndrome Foundation/Johns Hopkins Medical School Conference, Baltimore, Maryland, March 23, 1997.

Barden, R.C. "Mental Health Law and Ethics" Professional training seminar presented in Baltimore, Maryland, March 20, 1997.

Barden, R.C. "Mental Health Law and Ethics" Professional training seminar presented in Houston, Texas, March 12, 1997.

Barden, R.C. "Mental Health Law and Ethics" Professional training seminar presented in Dallas, Texas, March 11, 1997.

Barden, R.C. "Emergency Medical Systems for Children: Legal, Moral, Psychological and Legislative Analyses." Professional training seminar presented for the Mayo Clinic Staff, Rochester, Minnesota, November 18, 1996.

Barden, R.C. "Mental Health Law and Ethics" Professional training seminar presented in Albuquerque, New Mexico, November 21, 1996.

Barden, R.C. "Mental Health Law and Ethics" Professional training seminar presented in Phoenix, Arizona, November 22, 1996.

Barden, R.C. "Mental Health Law and Ethics" Professional training seminar presented in Portland, Oregon, December 5, 1996.

Barden, R.C. "Mental Health Law and Ethics" Professional training seminar presented in Seattle, Washington, December 6, 1996.

Barden, R.C. "Mental Health Law and Ethics: Expert Witness Testimony, the Suggestibility of Child and Adult Witnesses, the "Repressed Memory" Fad and other topics." Professional training seminar presented in Columbus, Ohio, February, 27, 1996.

Barden, R.C. "Mental Health Law and Ethics: Confidentiality, Record Keeping, Expert Witness Testimony, the Suggestibility of Child and Adult Witnesses, the "Repressed Memory" Fad and other topics." Professional training seminar presented in Indianapolis, Indiana, February 28, 1996.

Barden, R.C. "Mental Health Law and Ethics: Expert Witness Testimony, the Suggestibility of Child and Adult Witnesses, the "Repressed Memory" Fad and other topics." Professional training seminar presented in San Antonio, Texas, March 11, 1996.

Barden, R.C. "Mental Health Law and Ethics: Confidentiality, Record Keeping, Expert Witness Testimony, the Suggestibility of Child and Adult Witnesses, the "Repressed Memory" Fad and other topics." Professional training seminar presented in Dallas, Texas, March 12, 1996.

Barden, R.C. "Mental Health Law and Ethics: Confidentiality, Record Keeping, Expert Witness Testimony, the Suggestibility of Child and Adult Witnesses, the "Repressed Memory" Fad and other topics." Professional training seminar presented in Baltimore, Maryland, March 29, 1996.

Barden, R.C. "Mental Health Law and Ethics: Confidentiality, Record Keeping, Expert Witness Testimony, the Suggestibility of Child and Adult Witnesses, the "Repressed Memory" Fad and other topics." Professional training seminar presented in Minneapolis, Minnesota, May 8, 1996.

Barden, R.C. "Mental Health Law and Ethics: Confidentiality, Record Keeping, Expert Witness Testimony, the Suggestibility of Child and Adult Witnesses, the "Repressed Memory" Fad and other topics." Professional training seminar presented in Milwaukee, Wisconsin, May 10, 1996.

Barden, R.C. "Protecting the Integrity of the Legal System: Proper Use of Expert Witnesses", American Bar Association Criminal Justice Section. Presented in Minneapolis, Minnesota, November 10, 1995.

Barden, R.C. "Repressed Memories of Trauma: Science or Mythology; Mental Health Treatment or Quackery?", Invited address to the Interstate Postgraduate Medical Association of North America, San Francisco, October, 1995.

Barden, R.C. "Medical, Psychological, and Legal Issues in Dealing with 'Repressed Memories'", Invited address to the Interstate Postgraduate Medical Association of North America, San Francisco, October, 1995.

Barden, R.C. "Legal, Psychological, Ethical and Economic Analyses of the Health Care System: The Politics of Improving the Emergency Medical System for Children", Invited Address to the American Heart Association Advanced Pediatric Life Support Training Conference, Minnesota, Sept. 8, 1995.

Barden, R.C. "Mental Health Law and Ethics: Appropriate and Inappropriate Expert Testimony by Mental Health Professionals in the Legal System." Professional training seminar presented for the Health Education Network Program, Minneapolis, Minnesota, May 1995.

Barden, R.C. "Psychology and the Law: The Effects of Invalid and Unreliable Junk Science on the Legal System." Address to the Minneapolis Rotary Club, Minneapolis, Minnesota, March, 1995.

Barden, R. C. "General and Specific Issues in a Case of Unethical Behavior by a Forensic Psychiatrist", Testimony before the American Psychiatric Association Ethics Board in Tucson, Arizona, March, 1995.

Barden, R.C., "Protecting the Legal System from Inappropriate Social Science Testimony: 'Memory Recovery' Psychotherapy, Improper Interview Techniques with Children and Anatomical Doll Interviews" Invited keynote address to the Midwestern Sex Crimes Investigators Association, Des Moines, Iowa, March 1995.

Barden, R. C. "Research and Analyses regarding the Suggestibility of Children, the Use of Child Testimony, and the Dangers of Inappropriate Expert Testimony in the Legal System", An Amicus Brief and Oral Argument (by Invitation of the Court) to the 8th Circuit Court of Appeals for the State of Texas, February, 1995.

Barden, R.C. "The Truth and Responsibility in Mental Health Practices Act: Public Policy, Economic, Moral and Psychological Analyses", Invited Testimony to the House of Representatives of the State of New Hampshire, February, 1995.

Barden, R. C. "Psychotherapy Malpractice Suits: Legal, Psychological and Scientific Aspects." Professional training seminar presented at the Johns Hopkins Medical School/False Memory Syndrome Foundation meeting, "Memory and Reality: Reconciliation," Baltimore, MD., December, 1994.

Barden, R.C. "Mental Health Law and Ethics: Professional Obligations, Risk Management and Ethical Issues." Professional training seminar presented in Milwaukee, Wisconsin, August, 1994.

Barden, R.C. "The Legal Rights of Families and Children in the Age of Psychotherapists." Continuing education seminar for legal professionals. "Competing Jurisdictions: Family, Church & State.", June, 1994.

Barden, R.C. "Avoiding Malpractice Suits in the Practice of Psychotherapy." Professional training seminar presented in Minneapolis, Minnesota, June, 1994.

Barden, R.C., "Protecting the Legal System from Pseudoscientific Error and Fraud: The Case of 'Memory Recovery' Psychotherapy, Improper Interview Techniques with Children and Anatomical Doll Interviews" Invited keynote presentation to the Minnesota Sex Crimes Investigators Association, Minneapolis, Minnesota, April 1994.

Barden, R. C., "Optimal Performance in Tennis and Life." Northwest Sectional Training Program, United States Tennis Association, Eagan, Minnesota, April 1994.

Barden, R. C., "Psychotherapists' Duty to Warn and Duty to Commit." Professional training seminar presented at the Medical Education Services session on May 14, 1993 in Minneapolis, Minnesota.

Barden, R. C., "Success in Business: Optimal Performance in Business." Seminar presented at the Dept. of Psychology, Harvard College, April, 1992. "Psychology Applied to Business," Prof. Phillip Stone.

Barden, R. C., "Crosscultural, psychodiagnostic, and legal issues in the case of a young woman from Sierra Leone." Case presentation to the Mental Disability Law Seminar at Harvard Law School, April, 1992, Prof. Alan A. Stone.

Barden, R. C., "Optimal Performance and Health in Law School." Seminar presented at the Harvard Law School, Cambridge, Massachusetts, April/May, 1991.

Barden, R.C., Kinscherff, R., and George, W., "Legal, Economic, and Psychological Models for the Prevention of Drug Exposure in Infancy." Presented to the 1991 National Conference on Drug Abuse Prevention, Atlantic City, New Jersey, April, 1991.

Barden, R. C., "Mental Training for Optimal Performance in Law School." Seminar presented at the Harvard Law School, Cambridge, Massachusetts, April, 1990.

Barden, R.C., "Improving tennis performance with advanced relaxation training and hypnosis." Invited address before the United States Tennis Association Sectional Clinic, Minneapolis, Minnesota, 1989.

Barden, R. C. "The effects of facial anomalies and other traumatic events on personality development: Research from a developmental model." Harvard

University, Department of Psychology, 1988.

Barden, R.C., RogersSalyer, M., Kuczaj, S., Morales, L., & Salyer, K.E., "Multidisciplinary management of craniofacial anomalies: The role of the psychosocial team." Presented at the 1988 meeting of the Latin American Congress on Craniofacial Anomalies, Santiago, Chile.

Barden, R.C., Ford, M.E., RogersSalyer, M., Morales, L., & Salyer, K.E., "The effects of facial anomalies on personality development: Research from a developmental model." Presented at the August, 1988, meetings of the Latin American Congress on Craniofacial Anomalies, Santiago, Chile.

Barden, R.C., Ford, M.E., McCarty, S., RogersSalyer, M., Morales, L., & Salyer, K.E., "The effectiveness of craniofacial surgery: Patients with Clefts, Downs Syndrome, Treacher Collins, and Aperts." Presented at the August, 1988, Latin American Congress on Craniofacial Anomalies, Santiago, Chile.

Barden, R. C. "The effects of facial anomalies, chronic illness and other traumatic events on personality development: Research from a developmental model." McGill University, Department of Psychology, 1988.

Barden, R. C. "The effects of facial anomalies, chronic illness and other childhood trauma on personality development: Research from a developmental model." University of North Carolina, Chapel Hill, Department of Psychology, 1988.

Barden, R. C. "The effects of facial anomalies, chronic illness and other childhood trauma on personality development: Research from a developmental model." University of Utah School of Medicine, Department of Genetics, Salt Lake City, Utah, 1987.

Barden, R. C., McCarty, S. R., Ford, M. E., Morales, L., Salyer, M., and Salyer, K.E., "The effectiveness of craniofacial surgery: The first empirical study." Presented at the 1987 convention of the American Cleft Palate Association, San Antonio, Texas.

Barden, R. C., Hale, J., and Ford, M. E., "The effects of physical attractiveness on social interaction and cognition: The mediating role of affect." Presented at the 1987 convention of the American Cleft Palate Association, San Antonio, Texas.

Barden, R. C. and Yim, K. E., "The role of emotion and cognition in athletic behaviors of children." Presented at the American Society for Clinical Hypnosis, 1987, Las Vegas, Nevada.

Barden, R. C., Discussant for the symposium "Research paradigms in sports psychology." Presented at the American Society for Clinical Hypnosis, 1987, Las Vegas, Nevada.

Barden, R. C., Hale, J., and Ford, M. E., "The effects of physical attractiveness on social interaction: The mediating role of affect." Presented to the Society for Research in Child Development, 1987, Baltimore, Maryland.

Barden, R. C., Ford, M. E., and Jensen, G. A., "Infant facial attractiveness and deformity: The effects on motherinfant attachment." Presented at the 1987 meetings of the Society for Research in Child Development, Baltimore, Maryland.

Barden, R. C., Hale, J., and Ford, M. E., "The effects of physical attractiveness on social interaction: The mediating role of affect." Presented at the 1987 meetings of the Rocky Mountain Psychological Association, Albuquerque, New Mexico.

Barden, R. C., Ford, M. E., and Jensen, G. A., "Infant facial attractiveness and deformity: The effects on mother/infant attachment." Presented at the 1987 meetings of the Rocky Mountain Psychological Association, Albuquerque, New Mexico.

Barden, R. C. "The effects of facial anomalies, chronic illness and other childhood trauma on personality development: Research from a developmental model." University of Utah School of Medicine, Division of Plastic Surgery, 1986.

Barden, R. C. "The effects of facial anomalies, chronic illness and other childhood trauma on personality development: Research from a developmental model." Primary Children's Hospital, Intermountain Craniofacial Surgical Team, Salt Lake City, Utah. 1986.

Barden, R. C., Ford, M. E., Jensen, G., Salyer, M., and Salyer, K., "The Effects of Physical Attractiveness and Facial Deformity on the Mother/Infant Attachment Process." Presented at the May, 1986 American Cleft Palate Association Convention, New York, New York.

Barden, R. C., Ramsey, J., Salyer, M., and Salyer, K., "Craniofacial Surgery for Down's Syndrome Patients A Psychosocial Rationale." Presented at the May, 1986, American Cleft Palate Association Convention, New York, New York.

Barden, R. C., Wilhelm, W., Ford, M. E., Salyer, M., and Salyer, K., "Popularity and Friendship Selection of Craniofacially Deformed Adolescents." Presented at the May, 1986 American Cleft Palate Association Convention, New York, New York.

Ramsey, J., Barden, R. C., Salyer, M., and Salyer, K. E., "Psychotherapy Support Groups for Craniofacial Patients Why they succeed or fail." Presented at the May, 1986, American Cleft Palate Association Convention, New York, N.Y.

Barden, R. C. "The effects of facial anomalies, chronic illness and other childhood trauma on personality development: Research from a developmental model." University of Minnesota School of Medicine, Department of Child Psychiatry, 1985.

Barden, R. C. "The effects of facial anomalies, chronic illness and other childhood trauma on personality development: Research from a developmental model." Penn State University, Department of Psychology, 1985.

Barden, R. C., Wilhelm, W., Ford, M. E., Salyer, M., and Salyer, K. (1985), "The effects of facial deformities and physical attractiveness on sociometric status and conceptions of friendship in children and adolescents." Presented at the International Congress on Cleft Palate and Related Craniofacial Anomalies, Monte Carlo, Monaco.

Barden, R. C., Rogers Salyer, M., Ramsey, J., & Salyer, M. (1985), "Changes in attractiveness and expectations of others following craniofacial surgery with Downs Syndrome patients." Presented at the International Congress of Cleft Palate and Related Craniofacial Anomalies, Monte Carlo, Monaco.

Barden, R. C., (1985), Coordinator for the "PsychoSocial Research." Symposium International Congress on Cleft Palate and Related Craniofacial Anomalies, Monte Carlo, Monaco.

Barden, R. C., Hoffman, G., & Garber, J. (1984), "Depressed children's expectations of affective responses to social experiences." Paper presented at the meeting of the Southwestern Society for Research in Child Development, Denver.

Barden, R. C., & McKinley, D. C. (1984), "Physical attractiveness and personality development." Paper presented at the meeting of the Southwestern Society for Research in Child Development, Denver.

Barden, R. C., (1984), "Psychological stress and coping processes in children with facial abnormalities." Paper presented to the Texas Parents Cleft Palate Association, Dallas.

Barden, R. C. (1984), "Peer relations: Current research." Chairman and reviewer at a symposium conducted at the meeting of the Southeastern Society for Research in Child Development, University of Georgia.

Barden, R. C., Garber, J., Leiman, B., Ford, M. E., & Masters, J. C. (1983), "The effects of differential affective experiences and the remediation of such experiences on cognitive, social, and expressive behavior." Paper presented at the meeting of the Society for Research in Child Development, Detroit.

Barden, R. C., Garber, J., Leiman, B., Ford, M. E., McKinley, D., & Masters, J. C. (1983), "Maintenance of different types of affective experiences: Cognitions and attributions." Paper presented at the annual meeting of the Midwestern Psychological Association, Chicago.

Barden, R. C., Rogers, M., McKinley, D., & Salyer, K. (1983), "The psychosocial effects of plastic and reconstructive surgery." Paper presented at the annual meeting of the International Congress of Plastic and Reconstructive Surgery, Montreal.

Barden, R. C., Rogers, M., & Salyer, K. (1983), "The effects of plastic and reconstructive surgery on the physical attractiveness of children and adolescents." Paper presented at the annual meeting of the International Congress of Plastic and Reconstructive Surgery, Montreal.

Barden, R. C., & Masters, J. C. (1983), "Recognizing, understanding, and changing emotional states in children." Paper presented at the annual meeting of the American Psychological Association, Los Angeles.

Barden, R. C. (1983), "Emotional behaviors, attributions, and defenses: Basic development research with clinical significance." Symposium conducted at the annual meeting of the American Psychological Association, Los Angeles.

Barden, R. C., & McKinley, D. C. (1983), "Physical attractiveness, altruism and selfgratification in young children." Paper presented at the annual meeting of the Texas Psychological Association, San Antonio.

Felleman, E. S., Barden, R. C., Carlson, C. R., & Masters, J. C. (1981), "Children's and adults' recognition of spontaneous and posed emotional expressions in young children." Paper presented at the annual meeting of the American Psychological Association, Los Angeles.

Barden, R. C. "The effects of differential affective experiences and the remediation of such experiences on cognitive, social, and expressive behavior." Columbia University, Department of Psychology, 1981.

Barden, R. C. "The effects of differential affective experiences and the remediation of such experiences on cognitive, social, and expressive behavior." University of Southern California, Department of Psychology, 1981.

Barden, R. C. "The effects of differential affective experiences and the remediation of such experiences on cognitive, social, and expressive behavior." University of Georgia at Athens, Department of Psychology, 1981.

Barden, R. C. "The effects of differential affective experiences and the remediation of such experiences on cognitive, social, and expressive

behavior." University of Iowa, Department of Psychology, Iowa City, 1981.

Zelko, F. J., Duncan, S. W., Barden, R. C., Garber, J., & Masters, J.C. (1980), "Adult's knowledge of children's beliefs regarding the experiential determinants of emotion." Paper presented at the convention of the American Psychological Association, Montreal.

Barden, R. C., Garber, J., Duncan, S. W., & Masters, J. C. (1979), "Cumulative effects of induced affective states in children." Paper presented at the convention of the American Psychological Association, New York.

Barden, R. C., Zelko, F. J., Duncan, S. W., & Masters, J. C. (1979), "Consensual knowledge about the experiential determinants of emotion in children." Paper presented at the convention of the American Psychological Association, New York.

Masters, J. C. & Barden, R. C. (1977), "Learning and affect." Paper presented at the convention of the Society for Research in Child Development, New Orleans.

Masters, J. C., Furman, W., & Barden, R. C. (1975), "Effects of achievement standards, tangible rewards, and selfdispensed achievement evaluations on children's task mastery." Paper presented at the Convention of the Society for Research in Child Development, Denver.

Gilbert, Margaret

From: O'Neal, Kim (ATG) [KimO@ATG.WA.GOV]
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Curriculum Vitae

GARY RICHARD SCHOENER

Licensed Psychologist (M.Eq.) & Executive Director, Walk-In
Counseling Center

EDUCATION:

Bachelor of Arts, Major in Psychology, Cornell University, Ithaca, N. Y. June 1966.

Ph.D. Candidate, Clinical Psychology, Minor in Neuropsychiatry, University of Minnesota, Minneapolis, Minn. Course work, exams, and "all but dissertation" completed & *Candidate in Philosophy* status attained Dec. 1969; Re-entered March 1991 but have not finished program -- dissertation remains undone.

HONORARY DEGREES:

Doctorate of Psychology (Honorary Psy.D.), Minnesota School of Professional Psychology, Bloomington, Minnesota. Awarded on 24 October 1997

LICENSURE:

TO: Joanne
I + D, Ph.D.
Fr: Janice B.

Licensed Psychologist, M.Eq., State of Minnesota -- License # 13 (Nov. 1974 - Oct. 1992); License # 1700 (Oct. 1992 - present), based on the equivalent of a masters degree in a Ph.D. program (abbreviated "M.Eq.")

CURRENT POSITIONS:

Executive Director, Walk-In Counseling Center, 2421 Chicago Ave. S., Minneapolis, Minnesota 55404 . (July 1973 - Present). Previously Coordinator (July 1971 - June 1972 on half- time basis); Community Coordinator (July 1972-June 1973).

Licensed Psychologist & Organizational Consultant, 4033 Dupont Ave. S., Minneapolis, Minnesota 55409 (June 1971-present, part-time) Forensic consultant & expert witness, especially in cases of professional misconduct, boundary violations, and professional impairment; of impaired professionals; etc..

Consultant, CREATE Inc., Minneapolis, Minn. (1975 - present) This is a chemical health organization. providing diagnostic and treatment services for those with alcohol and substance abuse problems. Weekly clinical consultation, test interpretation, and supervision of chemical health and psychology interns.

Thirty years of consultation and training work, and professional presentations throughout the USA and Canada, and in England, Ireland, Denmark, Norway, Australia, and New Zealand. Keynote speaker at state, national, and international conferences. Consultant to numerous professional and lay groups.

PAST POSITIONS:

Consultant, Metropolitan Clinic of Counseling, Bloomington, Minn. (March 1986-Jan. 1988 part-time basis) Managed care organization providing mental health and substance abuse services. Provided consultation on market development and program design.

Consultant, Muscala, Emerson & Associates, Minneapolis, Minn. (June 1982 - Jan. 1986 on part-time basis) A clinic providing chemical health-related diagnosis and treatment. Provided clinical consultation and psychological test interpretation.

Consultant, Metropolitan Medical Center, Minneapolis, Minn. (Sept. 1984 - May 1985 on part-time basis) A major urban medical center. Provided consultation on market development & program design..

Clinical Psychologist, Minneapolis Clinic of Psychiatry & Neurology, Golden Valley, Minn. (Oct. 1970-July 1971; part-time July 1971-Dec. 1973) Clinical Psychology Intern (Oct. 1969-Oct. 1970).

Research Assistant, Department of Psychiatry Research, University of

Minnesota Hospitals, Minneapolis, Minn. (Sept. 1966 - Sept. 1968)
Assistant to Drs. Paul E. Meehl and David T. Lykken.

ACADEMIC POSITIONS:

Adjunct Faculty, Chemical Dependency Counselor Training Program, School of Public Health, University of Minnesota, Minneapolis, Minn. (Sept. 1972 - Jan. 1995). Lecturer on *Treatment Alternatives* and *Professional Responsibility and Ethics*

Adjunct Faculty, Program in Mental Health Administration, Independent Study Program, School of Public Health, University of Minnesota, Minneapolis, Minn. (May 1985 - Sept. 1989)

Community Faculty, Minnesota Metropolitan State University, St. Paul, Minn. (Dec. 1974 - Dec. 1983) Supervised students and evaluated competencies.

Faculty & Board Member, Health Professionals Drug Abuse Education Project, University of Minnesota, Minneapolis, Minn. (Jan. 1973 - June 1975) Federally funded project which provided training to health professionals in a 5 state area on drug and alcohol abuse.

AWARDS & HONORS: Complete list available. Some examples:

CSSA 10th Anniversary Awards -- 1999, 16 July 1999, Christian Survivors of Sexual Abuse, London, England, awarded to Gary Schoener for "Challenging & Confronting the issues of Clergy/Minister Sexual Abuse of Children or of Adults"

OUTSTANDING CONTRIBUTION TO MINNESOTA PSYCHOLOGISTS BY A M.P.A. MEMBER, 3 May 1997, Minnesota Psychological Association, Rochester, Minnesota, awarded to Gary Schoener for "Distinguished Leadership and Loyal Service to the Field of Psychology"

AWARD OF EXCELLENCE--MOST OUTSTANDING ETHICAL THERAPIST AWARD, 27 Feb. 1987, National Federation on Therapy Abuse, Ft. Worth, Texas, "uncompromising & unselfish dedication & contribution to the protection & support of victims of abuse in mental health...a pioneer."

OUTSTANDING CONTRIBUTOR TO MENTAL HEALTH AWARD, 16 Sept. 1986, awarded to Gary R. Schoener by the **Mental Health Association of Hennepin County** at its 25th Anniversary Meeting.

NONPROFIT EXCELLENCE AWARD, June 1985, Amherst H. Wilder Foundation & St. Paul United Way, St. Paul, Minn., awarded to Gary Schoener for "excellence in nonprofit management"

DISTINGUISHED SERVICE AWARD, May 1984, City of Minneapolis, awarded to Gary Schoener for work on the problem of juvenile arson as part of a Mayor's Committee on Fire Setting Behavior.

GOLD ACHIEVEMENT AWARD IN HOSPITAL AND COMMUNITY PSYCHIATRY, Sept. 1977, awarded to the Walk-In Counseling Center by the American Psychiatric Association, for excellent and innovative programming in mental health.

EDITOR/REVIEWER:

Contemporary Psychology (1987 - present) *Reviewer*

Hospital & Community Psychiatry (1992 - 1995) *Reviewer*

Journal of Consulting and Clinical Psychology (1998) *Reviewer*

Professional Psychology: Research & Practice (1994 - 1995); *Consulting Editor* (1995 - 1999)

Psychiatry Practice (Jan. 1996 - present) *Reviewer*

COMMUNITY & BOARD SERVICE: Complete list available of more than 35 boards & committees.

PUBLICATIONS

BOOKS:

Schwebel, M., Skorina, J., & Schoener, G. (1988, 1994). **Assisting Impaired Psychologists: Program Development for State Psychological Associations**. Original and Revised Edition (1994) Washington, D.C.: American Psychological Association.

Schoener, G., Milgrom, J., Gonsiorek, J., Luepker, E., & Conroe, R. (1989). **Psychotherapists' Sexual Involvement With Clients: Intervention and Prevention**. Minneapolis, Minn.: Walk-In Counseling Ctr.

Schoener, G. (1998) **Collected Papers on Professional Misconduct – 1998** In Good Faith & Associates, P.O. Box 38, North Melbourne, Victoria, 3051, Australia

BOOK CHAPTERS: A complete list available of 22 book chapters and forewards.

JOURNAL ARTICLES: A complete list available of 7 journal articles.

BOOK REVIEWS: Citations for two in *Contemporary Psychology*

available.

OTHER PUBLICATIONS: A complete listing of 12 professional publications is available.

INTERVIEWS: A listing of four in professional publications is available.

PRESENTATIONS AUDIOTAPES: A listing of fifteen audiotaped presentations is available.

APPEARANCES ON FILM, VIDEO, & TELEVISION: A listing of five is available.

MONOGRAPHS & PAPERS: A separate list of more than 100 professional publications, printed as monographs by the Walk-In Counseling Center, and were developed as handouts for various presentations.

ARTICLES IN THE MINNESOTA PSYCHOLOGIST: A complete list of more than 65 articles published by the *Minnesota Psychologist* (1984 - present) and 3 articles about my work available.

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CHILD PSYCHOLOGY
Flanagan, Catherine L

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Andrews, Frank M.
Golding, Stephen L.

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Schulman, Robert E.
Silverman, Hirsch Lazaar
Sparta, Steven N.
Stafford, Kathleen Powers
Super, John T.
Vandenberg, Gerald H.
Vogelson, Andrew R.
Walters, Robert H.
Woody, Robert

**COMPETENCY/SANITY
EVALUATION**

Annon, Jack S.
Bank, Steven C.
Beebe, E. Rick
Berger, Vincent F.
Borum, Randy
Campos, Leonard P.
Clark, Charles R.
Conroy, Mary Alice
Cowan, Lawrence
Denney, Robert L.
Donovan, Dennis R.
Drogin, Eric Y.
Duthie, Bruce
Ebert, Ronald S.
Eisenberg, James R.
Enfield, Roger E.
Frederick, Richard I.
Gable, R. Kirkland
Galliani, Cono
Goldberg, Robert W.
Goldstein, Alan M.
Grisso, Thomas
Hall, Harold V., Jr.
Hamm, Phillip M.
Hazelrigg, Mark D.
Holcomb, William R.
Howell, Robert J.
Jackson, Newton L. P., Jr.
Johnson, Phillip W.
Katz, George C.
Kerman, Fred M.
Kothandapani, Virupaksha
Kukor, Terrance J.
Lally, Stephen J.
Landis, Edward E.
Lawrence, Stephen B.
Lipsitt, Paul D.
Lower, Gerald

Marra, Herbert A.
Meyer, Robert G.
Moriearty, Sue
Morse, Stephen J.
Mrad, David F.
Nigrosh, Barry J.
Otto, Randy K.
Packer, Ira K.
Pietz, Christina A.
Pritchard, David
Pugliese, Frank A.
Randle, Robert O., Jr.
Reidy, Thomas J.
Reuterfors, David
Rogers, Richard
Rosenfeld, Barry
Schlesinger, Louis B.
Shaffer, Joyce
Shapiro, David L.
Simcox, Andrew
Smail, Kenneth H.
Smith, Harold H., Jr.
Stafford, Kathleen P.
Stimel, Carolyn
Stock, Harley V.
Stone, LeRoy A.
Sunbury, James F.
Super, John T.
Talmadge, Stephen A.
Tennenbaum, David J.
Vore, David A.
Warnken, William
Weiner, Irving B.
Wursten, April
Zaitchik, Matt C.

COMPLEX CIVIL LITIGATION

Beaber, Rex Julian

**CORRECTIONAL MENTAL
HEALTH SERVICES**

Dvoskin, Joel A.

CORRECTIONS

Sunbury, James F.

CRIMINAL ASSESSMENT

Annon, Jack S.
Berger, Vincent F.
Berland, Robert M.
Bogacki, David F.
Campos, Leonard P.
Cooke, Gerald
Cunningham, Mark D.
DiFrancesca, Katherine R.
Eberle, Thomas Michael
Elion, Victor H.
Ewing, Charles Patrick
Follingstad, Diane R.
Frederick, Richard I.
Freeman, James T.
Fremouw, William J.

Frumkin, I. Bruce
Galliani, Cono
Goldstein, Alan M.
Golding, Stephen L.
Hays, J. Ray
Heath, Glenn H.
Helge, Arthur Swen
Hoffnung, Priscilla S.
Honor, Stephen
Howell, Robert J.
Jackson, Newton L. P.
Kirkpatrick, H. D.
Klein, Alan J.
Lanyon, Richard I.
Lawrence, Stephen B.
Lipsitt, Paul D.
Lipson, Glenn
Maloney, Michael P.
McKee, Geoffrey R.
McPherson, Sandra B.
Meloy, J. Reid
Morse, Stephen J.
Norris, Christopher S.
Oberlander, Lois B.
Pietz, Christina A.
Poirier, Joseph G.
Protter, Barry
Reidy, Thomas J.
Reuterfors, David
Schacht, Thomas E.
Schlesinger, Louis B.
Schulman, Robert E.
Skidmore, Sherry L.
Stanley, Charlton S.
Stimel, Carolyn
Strochak, Robert D.
Sunbury, James F.
Talmadge, Stephen A.
Vandenberg, Gerald H.
Venn, Jonathan
Walters, Robert H.
Wamken, William

CRIMINAL RESPONSIBILITY

Abramsky, Michael F.

**DANGEROUSNESS/VIOLENCE
ASSESSMENT**

Beebe, E. Rick
Borum, Randy
Call, John A.
Conroy, Mary Alice
Donovan, Dennis R.
Ebert, Bruce W.
Ebert, Ronald S.
Fremouw, William J.
Gully, Kevin J.
Hall, Harold V., Jr.
Hargrave, George E.
Hazelrigg, Mark D.
Inwald, Robin
Rosenfeld, Barry
Johnson, Phillip W.
Kukor, Terrance J.
Lally, Stephen J.

Landis, Edward E.
Meloy, J. Reid
Monahan, John
Mrad, David F.
Nigrosh, Barry J.
Norris, Christopher S.
Ostrov, Eric
Otto, Randy K.
Packer, Ira K.
Pietz, Christina A.
Reuterfors, David
Shaffer, Joyce
Shapiro, David L.
Simcox, Andrew
Smail, Kenneth H.
Stafford, Kathleen P.
VandenBos, Gary R.
Warnken, William
Witt, Philip H.
Wursten, April
Zaitchik, Matt C.

DEATH PENALTY

Berland, Robert M.
Goldstein, Alan M.

DEATH PENALTY**MITIGATION**

Eisenberg, James R.
McKee, Geoffrey R.

**DEPRIVATION OF
PARENTAL RIGHTS**

Gully, Kevin J.

DEVELOPMENT DISABILITIES

Bogacki, David F.

DIAGNOSTIC ASSESSMENT

Berland, Robert M.

DISABILITY ASSESSMENT

Horstman, William R.

DISSOLUTION COUNSELING

Rothenberg, David

DIVORCE MEDIATION

Bodin, Arthur M.
Kaslow, Florence W.
Schwartz, Uta Linzer

**EMPLOYMENT
DISCRIMINATION**
Foote, William E.

**EMPLOYMENT PRACTICES/
HUMAN RESOURCES MGMT.**
Finkelman, Jay M.

**ETHICS/LICENSING/
PSYCHOLOGY
STANDARD OF CARE**
Ebett, Bruce S.

not in directory

**EYE WITNESS MEMORY &
TESTIMONY IN CHILDREN
AND ADULTS**
Annon, Jack S.

**FAMILY COUNSELING
AND/OR THERAPY**
Andrews, Frank M.
Bodin, Arthur M.
Kaslow, Florence W.
Silverman, Hirsch Lazaar
Tennenbaum, David J.

FIRESETTERS ASSESSMENT
Fineman, Kenneth R.

**FORENSIC INDUSTRIAL/
ORGANIZATION
PSYCHOLOGY**
Finkelman, Jay M.
Gamson, Marc A.

**FORENSIC PSYCHOLOGY
RESEARCH**
Heilbrun, Kurk S.
Inwald, Robin
Lees-Haley, Paul R.
Monahan, John
Rogers, Richard
Rosenfeld, Barry

**FORENSIC PSYCHOLOGY
TEACHING/EDUCATION**
Conroy, Mary Alice
Eisenberg, James R.
Ewing, Charles Patrick
Follingstad, Diane R.
Freeman, James T.
Gable, R. Kirkland
Grisso, Thomas
Hazelrigg, Mark D.
Hoffnung, Priscilla S.
Kaslow, Florence W.
Katz, George C.
Kelly, John S.
Landis, Edward E.

Lawrence, Stephen B.
Lipsitt, Paul D.
Marra, Herbert A.
Oberlander, Lois B.
Resch, Ellen E.
Rosenhan, David
Schacht, Thomas E.
Schwartz, Lita Linzer
Schwartz, Melvin L.
Silverstein, Elliot M.
Simcox, Andrew
Wursten, April
Zaitchik, Matt C.

GAMBLING DISORDERS

Barrett, Curtis L.

GUARDIANSHIP

Otto, Randy K.

**HOMICIDE & SEX
OFFENSES**

Beaber, Rex Julian

HOSTAGE NEGOTIATION

Johnson, Phillip W.

**HUMAN FACTORS/
ENGINEERING PSYCHOLOGY**

Finkelman, Jay M.
Kurka, Martin I.
Middendorf, Loma
Rudov, Melvin H.
Udolf, Roy

HYPNOSIS, DISSIMILATION

Lynn, Steven J.

HYPNOSIS (FORENSIC)

Galliani, Cono
Gravitz, Melvin A.
Lynn, Steven J.
McPherson, Sandra B.
Meyer, Robert G.
Udolf, Roy

JURY SELECTION

Beaber, Rex Julian
Blue, Lisa A.
Gordon, Robert
Rothenberg, David
Shealy, Allen E.

**JUVENILE COMPETENCY
TO STAND TRIAL**

McKee, Geoffrey R.

JUVENILE EVALUATIONS
Heilbrun, Kirk S.**JUVENILE JUSTICE
EVALUATIONS**
Grisso, Thomas**LEGISLATION**
DeLeon, Patrick H.**LITIGATION STRATEGY**
Blue, Lisa A.
Call, John A.
Gordon, Robert
Greenberg, Stuart A.
Meloy, J. Reid
Rosenhan, David
Rothenberg, David
Thorne, D. Eugene
Woody, Robert Henley
Wright, Michael F.**MALINGERING &
DECEPTION**
Frederick, Richard I.
Morearty, Sue
Pritchard, David
Rogers, Richard**MANAGING RISK OF
VIOLENCE AMONG PEOPLE
WITH MENTAL ILLNESS**
Dvoskin, Joel A.**MARRIAGE/COUPLE
COUNSELING**
Bodin, Arthur M.**MEDICAL AND LEGAL
MALPRACTICE**

Czopek, Andrew F. *DNV*
Eberle, Thomas Michael *PP*
Golding, Stephen L. *UT*
Hagan, Leigh Douglas *VA*
Horstman, William R. *CA*
Koocher, Gerald P. *MO*
Lipson, Glenn *CA*
Petrella, Russell C. *NS*
Poirier, Joseph G. *MD*
Shapiro, David L. *NY*
Sparta, Steven N. *CA*
Thorne, D. Eugene *UT*

**MENTAL HEALTH SYSTEMS
LITIGATION**

Petrella, Russell C.

MENTAL RETARDATION

Moriearty, Sue

MILITARY PSYCHOLOGY

Talmdge, Stephen A.

**MIRANDA RIGHTS WAIVER
EVALUATIONS**

Goldstein, Alan M.

NEGOTIATIONS TRAINING

Silverstein, Elliot M.

**NEUROPSYCHOLOGICAL
ASSESSMENT**

Derney, Robert L.

Derby, Wilfrid N.

Fineman, Kenneth R.

Hall, Harold V., Jr.

Honor, Stephen

Kerman, Fred M.

Lanyon, Richard I.

Lees-Haley, Paul R.

Posluns, Donald

Posthuma, Alan B.

Pritchard, David

Randle, Robert O., Jr.

Roberts, Ronald H.

Schwartz, Melvin L.

Silverman, Hirsch Lazaar

Skidmore, Sherry L.

Stanley, Charlton S.

Venn, Jonathan

OCCUPATIONAL HEALTH

Baker, Nancy Lynn

PATIENTS' RIGHTS

Katz, George C.

**PERSONAL INJURY EVALU-
ATION AND/OR TREATMENT**

Appenfeldt, Linda

Bank, Steven C.

Berger, Vincent F.

Blau, Theodore C.

Campos, Leonard P.

Cooke, Gerald

Cowan, Lawrence

Czopek, Andrew F.

Derby, Wilfrid N.

Duthie, Bruce

Eberle, Thomas Michael

Ellon, Victor H.

Enfield, Roger E.
Flanagan, Catherine L.
Goldberg, Robert W.
Gravitz, Melvin A.
Greenberg, Stuart A.
Hamm, Phillip M.
Hargrave, George E.
Hedrick, Marsha
Kaiser, Ronald S.
Kelly, John S.
Kivel, Phyllis Nancy
Kothandapani, Virupaksha
Lanyon, Richard I.
Lees-Haley, Paul
Martindale, David A.
McBride, Kevin
Meyer, Robert G.
Packer, Ira K.
Paul, Leonard M.
Pelc, Robert E.
Petrella, Russell C.
Posthuma, Alan B.
Roberts, Ronald H.
Schacht, Thomas E.
Schlesinger, Louis B.
Schwartz, Melvin L.
Shealy, Allen E.
Skidmore, Sherry L.
Smail, Kenneth H.
Smith, Harold H., Jr.
Stanley, Charlton S.
Stock, Harley V.
Strochak, Robert D.
Venn, Jonathan
Vore, David A.
Weiner, Irving B.
Weissman, Herbert N.
Witt, Philip H.
Woody, Robert Henley
Wright, Michael F.
Zelig, Mark

**POLICE/CORRECTION
OFFICER SELECTION/
TRAINING**

Borum, Randy
Connell, Mary Alice
Fremouw, William J.
Gravitz, Melvin A.
Inwald, Robin E.
Marra, Herbert A.
Ostrov, Eric
Shealy, Allen E.
Stimel, Carolyn
Stock, Harley V.
Super, John T.
Zelig, Mark

POLICE PSYCHOLOGY

Baker, Nancy Lynn
Flanagan, Catherine L.
Kurke, Martin I.

PROFESSIONAL ETHICS

Clark, Charles R. **M**
Martindale, David A. **—**
Resch, Ellen E. **FL**

PRODUCT LIABILITY

Middendorf, Lorna
Rudov, Melvin H.

PROFESSIONAL LIABILITY

Rudov, Melvin H. **PA**

**PSYCHOLOGICAL
ABNORMALITY**

Rosenhan, David

PUBLIC POLICY

DeLeon, Patrick H.
Walters, Robert H.

**SAFETY (See Human
Factors/ Engineering
Psychology**

Middendorf, Lorna
Udolf, Roy

SENTENCING

DiFrancesca, Katherine R.
Freeman, James T.
Gamson, Marc A.
Kukor, Terrance J.
Lower, Jerold S.
Stone, LeRoy A.
Thorne, D. Eugene

SEXUAL ABUSE**ALLEGATIONS**

Derby, Wilfrid N.

SEXUAL ABUSE VICTIM**EVALUATION & TREATMENT**

Clark, Beth K.
McBride, Kevin
Vogelson, Andrew R.

SEXUAL HARASSMENT

Abramsky, Michael F.

**SEXUAL HARASSMENT/
EMPLOYMENT
DISCRIMINATION**

Weissman, Herbert N.

SEXUAL OFFENDER EVALUATION & TREATMENT

Annon, Jack S.
Ebert, Bruce W.
Gorman, Ira
Holcomb, William R.
Norris, Christopher S.
Protter, Barry
Saylor, C. Barton
VandenBos, Gary R.
Vogelson, Andrew R.
Witt, Phillip H.

SEXUAL VICTIM EVALUATION

Clark, Beth K.
Howell, Robert J.
McBride, Kevin
Roll, Samuel

STANDARD OF CARE LITIGATION

Weissman, Herbert N. *CA*

SUBSTITUTED JUDGMENT

Drogin, Eric Y.
Koocher, Gerald P.

TESTING

Appenfeldt, Linda
Blau, Theodore H.
Frumkin, I. Bruce
Gamson, Marc A.
Jackson, Newton L. P.
Kaiser, Ronald S.
Kelly, John S.
Kothandapani, Virupaksha
Lally, Stephen J.
Lower, Jerold S.
Roll, Samuel
Stone, LeRoy A.
Weiner, Irving B.

THREAT ASSESSMENT

Fein, Robert A.

TRIAL TACTICS

Bank, Steven C.
Barrett, Curtis L.
Blue, Lisa A.
Drogin, Eric Y.
Gordon, Robert
Thorne, D. Eugene
Vore, David
Wright, Michael F.

VIOLENCE EVALUATIONS

Hargrave, George E.

Heilbrun, Kurk S.

VOCATIONAL ASSESSMENT
Kaiser, Ronald S.

VOCATIONAL COUNSELING
Paul, Leonard M.

WORKPLACE VIOLENCE
Dvoskin, Joel A.
Foote, William E.
Hargrave, George E.
Johnson, Phillip W.

1 - Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's ag

1 - Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's ag

Health Professions Section 2 – Legal Unit

REQUEST FOR ADMINISTRATIVE SERVICES

Date: 5/7/01 Received (Admin. Stamp): _____

Staff Attorney: BEC WLR GWM MJG MAE

Paralegal: LLT RAM

RECEIVED
MAY 03 2001

Reviewed if necessary? Yes _____ No _____

Respondent Name: Brown, Laura

Case Number: Agreed 2 cases Docket # 99-12-A-1016 PY

Program: Psychology RCM: 1 to

Respondent Attorney, if known: _____

Action Requested: RAGS SOA/STID Agreed Order ~~SOC~~
BAP NOC B/T Other _____

Was an extension requested for this case?
Yes _____ No _____ If so, what is the final due date? _____

If this is a RAGS request, is there an agreed order on the S: drive?
Yes _____ No _____

Do you want a settlement conference scheduled once the scheduling order is issued?
Yes _____ No _____ Dates Available: _____

Special Instructions:
A.O. on S: drive
I'll do a cover letter later
File is too huge to attach
The Hg

1 - Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's agent

PLEASE SAVE.

**STATE OF WASHINGTON
DEPARTMENT OF HEALTH
EXAMINING BOARD OF PSYCHOLOGY**

In the Matter of the License to Practice
Psychology of:

ARTHUR W. PESKIND, Ph.D.,
License Number PY00000726

Respondent.

)
) **Docket No. 00-08-A-1039PY**
)
) **STATEMENT OF CHARGES**
)
)
)

The Program Manager of the Examining Board of Psychology, on designation by the Board, makes the allegations below, which are supported by evidence contained in program case file(s) no. 99-02-0005PY. Any clients referred to in this Statement of Charges are identified in an attached Confidential Schedule.

Section 1: ALLEGED FACTS

1.1 Arthur W. Peskind, Ph.D., was issued a license to practice psychology by the State of Washington in 1981 and has maintained that license.

1.2 Respondent provided psychological services to Client A from May 1993 through February 1999 for issues related to anxiety. Client A was also being seen by other mental health providers for other issues.

1.3 In October 1997, Respondent made a notation that Client A requested no records be kept. He stopped keeping session notes other than date of service and billing records.

1.4 Respondent knew Client A had a history of sexual abuse. Prior to November 1998, Respondent revealed his own history of abuse to Client A. During a

November 1998 session, Respondent cried and was unable to control the session. Client A had to comfort Respondent.

1.5 The Board disciplined Respondent in 1992 for sexual contact with a client. He did not reveal this to Client A. In various sessions, Respondent used language Client A understood to be sexually derogatory. Client A learned of the prior discipline from outside sources in February 1998 and then believed the earlier language was threatening. She ceased seeing Respondent and sought therapeutic assistance from her other providers to deal with her feelings about Respondent's conduct.

Section 2: ALLEGED VIOLATIONS

2.1 The violations alleged in this section constitute grounds for disciplinary action pursuant to RCW 18.130.180 and the imposition of sanctions under RCW 18.130.160.

2.2 The facts alleged in paragraphs 1.2 and 1.3 constitute unprofessional conduct in violation of RCW 18.130.180(7) and WAC 246-924-354, which provide:

RCW 18.130.180 Unprofessional conduct. The following conduct, acts, or conditions constitute unprofessional conduct for any license holder or applicant under the jurisdiction of this chapter:

....

(7) Violation of any state or federal statute or administrative rule regulating the profession in question, including any statute or rule defining or establishing standards of patient care or professional conduct or practice;

WAC 246-924-354 Maintenance and retention of records.

- (1) The psychologist rendering professional services to a client or clients or rendering services billed to a third party payor, shall document services except as provided in (g) of this subsection. That documentation shall include:
- (a) The presenting problem(s), purpose or diagnosis;
 - (b) The fee arrangement;
 - (c) The date and service provided;
 - (d) A copy of all tests and evaluative reports prepared;
 - (e) Notation and results of formal consults including information obtained from other persons or agencies through a release of information;
 - (f) Progress notes reflecting on-going treatment and current status;
 - (g) If a client requests that no treatment records be kept and the psychologist agrees to the request, the request must be in writing and only the following must be retained: (i) Identity of the recipient of services; (ii) Service dates and fees; (iii) Description of services; (iv) Written request that no records be kept.
- (2) The psychologist shall not agree to the request if maintaining records is required by other state or federal law.

2.3 The facts alleged in paragraphs 1.4 and 1.5 constitute unprofessional conduct in violation of RCW 18.130.180(4) and (7) and WAC 246-924-356, which provide:

RCW 18.130.180 Unprofessional conduct. The following conduct, acts, or conditions constitute unprofessional conduct for any license holder or applicant under the jurisdiction of this chapter:

...

(4) Incompetence, negligence, or malpractice which results in injury to a patient or which creates an unreasonable risk that a patient may be harmed. The use of a nontraditional treatment by itself shall not constitute unprofessional conduct, provided that it does not result in injury to a patient or create an unreasonable risk that a patient may be harmed;

...

(7) Violation of any state or federal statute or administrative rule regulating the profession in question, including any

statute or rule defining or establishing standards of patient care or professional conduct or practice;

WAC 246-924-356 Impaired objectivity. The psychologist shall not undertake or continue a professional relationship with a client when the competency of the psychologist is impaired due to mental, emotional, physical, pharmacological, or substance abuse conditions. If such a condition develops after a professional relationship has been initiated, the psychologist shall terminate the relationship in an appropriate manner, and shall assist the client in obtaining services from another professional.

Section 3: NOTICE TO RESPONDENT

The charges in this document affect the public health, safety, and welfare. The Program Manager of the Examining Board of Psychology directs that a notice be issued and served on Respondent as provided by law, giving Respondent the opportunity to defend against these charges. If Respondent fails to defend against these charges, Respondent shall be subject to discipline pursuant to RCW 18.130.180 and the imposition of sanctions under RCW 18.130.160.

DATED: _____

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
EXAMINING BOARD OF PSYCHOLOGY

JANICE K. BODEN
Program Manager

KIM O'NEAL, WSBA #12939
Assistant Attorney General Prosecutor

FOR INTERNAL USE ONLY. INTERNAL TRACKING NUMBERS:

PROGRAM NO. 99-02-0005PY

CONFIDENTIAL SCHEDULE

This information is confidential and is NOT to be released without the consent of the individual or individuals named herein. RCW 42.17.310(1)(d)

Client A

5 - Investigative Records Compiled by ...

1 - Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's ag



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
1300 SE Quince Street • Olympia, Washington 98504

October 20, 2000

Arthur W. Peskind, Ph.D.
3609 South 19th Street
Tacoma, WA 98405

Dear Dr. Peskind:

Enclosed please find a copy of the following documents issued to you:

- Statement of Charges
- Notice of Opportunity for Settlement and Hearing
- Answer to Statement of Charges and Request for Settlement and Hearing
- Healthcare Integrity and Protection Data Bank Reporting Form for Individuals
- Department of Health Disciplinary Guidelines

Please be advised that the Answer to the Statement of Charges and Request for Settlement and Hearing form must be completed and received by the Adjudicative Clerk Office no later than twenty (20) days from the date it was mailed to you.

I will be representing the Department of Health during the initial stages of this matter, and through the settlement conference. If this matter cannot be settled and proceeds to a hearing, an assistant attorney general will represent the Department at that hearing. Accordingly, please direct all questions regarding settlement to me.

In addition, I have enclosed a document entitled "Healthcare Integrity and Protection Data Bank Reporting Form for Individuals". Pursuant to federal law, Section 1128E of the Social Security Act and 45 CFR part 61, you are required to complete this form and return it to our office.



Arthur W. Peskind, Ph.D.
October 20, 2000
Page Two

You do have the right, and are encouraged, to obtain private counsel to advise and instruct you concerning this matter. If you have any questions regarding the enclosed documents or the adjudication process, please contact me at (360) 236-4913.

Sincerely,

MARGARET J. GILBERT
Staff Attorney

Enclosures

cc: Kim O'Neal, Assistant Attorney General
Janice Boden, Program Manager
RBM, w/ enclosures

**STATE OF WASHINGTON
DEPARTMENT OF HEALTH
EXAMINING BOARD OF PSYCHOLOGY**

In the Matter of the License to Practice
Psychology of:

ARTHUR W. PESKIND, Ph.D.,
License No. PY 000000726

Respondent.

)
) **Docket No. 00-08-A-1039PY**
)
) **DECLARATION OF SERVICE**
) **BY MAIL**
)
) **Program No. 99-02-0005PY**

I declare under penalty of perjury under the laws of the State of Washington that
the following is true and correct:

On _____, I served a true and correct copy of the
Statement of Charges; Answer to Statement of Charges and Request for Settlement
and Hearing; Notice of Opportunity for Settlement and Hearing; and Healthcare Integrity
and Protection Data Bank Reporting Form for Individuals by placing same in the U.S.
mail by 4:30 p.m., postage prepaid, on the following parties to this case:

Kim O'Neal, AAG
Office of the Attorney General
PO Box 40110
Olympia WA 98504-0110

Arthur W. Peskind, Ph.D.
3609 South 19th St.
Tacoma, WA 98405

Raegen N. Rasnic, Attorney
Skellenger Bender
1301 Fifth Ave., Ste. 3401
Seattle, WA 98101-2605

DATED: _____, at Olympia, Washington.

GRETCHEN BINFORD, Legal Assistant

Original filed with:
Adjudicative Clerk Office
1107 Eastside Street
PO Box 47879
Olympia WA 98504-7879

ORIGINAL

CONFIDENTIAL SCHEDULE

This information is confidential and is NOT to be released without the consent of the individual or individuals named herein. RCW 42.17.310(1)(d)

Client A

5 - Investigative Records Compiled by...

**STATE OF WASHINGTON
DEPARTMENT OF HEALTH
EXAMINING BOARD OF PSYCHOLOGY**

In the Matter of the License to Practice
Psychology of:

ARTHUR W. PESKIND, Ph.D.,
License Number PY00000726

Respondent.

)
) **Docket No. 00-08-A-1039PY**
)
) **STATEMENT OF CHARGES**
)
)
)

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1.4 Respondent knew Client A had a history of sexual abuse. Prior to November 1998, Respondent revealed his own history of abuse to Client A. During a

ORIGINAL

November 1998 session, Respondent cried and was unable to control the session. Client A had to comfort Respondent.

1.5 The Board disciplined Respondent in 1992 for sexual contact with a client. He did not reveal this to Client A. In various sessions, Respondent used language Client A understood to be sexually derogatory. Client A learned of the prior discipline from outside sources in February 1998 and then believed the earlier language was threatening. She ceased seeing Respondent and sought therapeutic assistance from her other providers to deal with her feelings about Respondent's conduct.

Section 2: ALLEGED VIOLATIONS

2.1 The violations alleged in this section constitute grounds for disciplinary action pursuant to RCW 18.130.180 and the imposition of sanctions under RCW 18.130.160.

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RCW 18.130.180 Unprofessional conduct. The following conduct, acts, or conditions constitute unprofessional conduct for any license holder or applicant under the jurisdiction of this chapter:

....

(7) Violation of any state or federal statute or administrative rule regulating the profession in question, including any statute or rule defining or establishing standards of patient care or professional conduct or practice;

WAC 246-924-354 Maintenance and retention of records.

(1) The psychologist rendering professional services to a client or clients or rendering services billed to a third party payor, shall document services except as provided in (g) of this subsection. That documentation shall include:

- (a) The presenting problem(s), purpose or diagnosis;
- (b) The fee arrangement;
- (c) The date and service provided;
- (d) A copy of all tests and evaluative reports prepared;
- (e) Notation and results of formal consults including information obtained from other persons or agencies through a release of information;
- (f) Progress notes reflecting on-going treatment and current status;
- (g) If a client requests that no treatment records be kept and the psychologist agrees to the request, the request must be in writing and only the following must be retained: (i) Identity of the recipient of services; (ii) Service dates and fees; (iii) Description of services; (iv) Written request that no records be kept.

(2) The psychologist shall not agree to the request if maintaining records is required by other state or federal law.

2.3 The facts alleged in paragraphs 1.4 and 1.5 constitute unprofessional conduct in violation of RCW 18.130.180(4) and (7) and WAC 246-924-356, which provide:

RCW 18.130.180 Unprofessional conduct. The following conduct, acts, or conditions constitute unprofessional conduct for any license holder or applicant under the jurisdiction of this chapter:

...

(4) Incompetence, negligence, or malpractice which results in injury to a patient or which creates an unreasonable risk that a patient may be harmed. The use of a nontraditional treatment by itself shall not constitute unprofessional conduct, provided that it does not result in injury to a patient or create an unreasonable risk that a patient may be harmed;

...

(7) Violation of any state or federal statute or administrative rule regulating the profession in question, including any

statute or rule defining or establishing standards of patient care or professional conduct or practice;

WAC 246-924-356 Impaired objectivity. The psychologist shall not undertake or continue a professional relationship with a client when the competency of the psychologist is impaired due to mental, emotional, physical, pharmacological, or substance abuse conditions. If such a condition develops after a professional relationship has been initiated, the psychologist shall terminate the relationship in an appropriate manner, and shall assist the client in obtaining services from another professional.

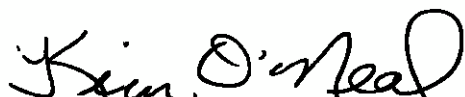
Section 3: NOTICE TO RESPONDENT

The charges in this document affect the public health, safety, and welfare. The Program Manager of the Examining Board of Psychology directs that a notice be issued and served on Respondent as provided by law, giving Respondent the opportunity to defend against these charges. If Respondent fails to defend against these charges, Respondent shall be subject to discipline pursuant to RCW 18.130.180 and the imposition of sanctions under RCW 18.130.160.

DATED: _____.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
EXAMINING BOARD OF PSYCHOLOGY

JANICE K. BODEN
Program Manager



KIM O'NEAL, WSBA #12939
Assistant Attorney General Prosecutor

FOR INTERNAL USE ONLY. INTERNAL TRACKING NUMBERS:

PROGRAM NO. 99-02-0005PY

**STATE OF WASHINGTON
DEPARTMENT OF HEALTH
EXAMINING BOARD OF PSYCHOLOGY**

In the Matter of the License to Practice
Psychology of:

ARTHUR W. PESKIND, Ph.D.,
License No. PY00000726

Respondent.

)
) **Docket No. 00-08-A-1039PY**
)

) **NOTICE OF OPPORTUNITY**
) **FOR SETTLEMENT AND**
) **HEARING**
)

You are notified that a Statement of Charges has been issued by the Program Manager of the Examining Board of Psychology; a copy of which is enclosed. The Statement of Charges initiates the process by which the Board will determine whether you have committed unprofessional conduct pursuant to RCW 18.130.180 as alleged in the Statement of Charges. If you are found to have committed unprofessional conduct, the Board will determine the appropriate sanctions as provided in RCW 18.130.160.

You may request an adjudicative proceeding by filing an answer to the Statement of Charges. Your answer to the Statement of Charges provides you the opportunity to request an adjudicative proceeding or to waive the opportunity for an adjudicative proceeding, pursuant to RCW 34.05.413 and WAC 246-11-270. An answer form is enclosed.

YOUR ANSWER TO STATEMENT OF CHARGES MUST BE RECEIVED BY THE ADJUDICATIVE CLERK OFFICE WITHIN TWENTY (20) DAYS FROM THE DATE THIS NOTICE WAS MAILED TO YOU. If the twenty (20) day limit results in a hardship upon you, you may request in writing an extension for good cause not to exceed sixty (60) additional days. A request for extension must be received by the

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Adjudicative Clerk Office within twenty (20) days from the date this notice was mailed to you. The Board will grant an extension for good cause.

Failure to file an answer within the twenty (20) day time limit or within the time limit established by a hardship extension constitutes a default. Pursuant to RCW 34.05.440 and WAC 246-11-280, a default will result in the loss of your right to an adjudicative proceeding, including a hearing, and resolution of the case without your participation. A default may result in the suspension or revocation of your license.

If you waive your opportunity for settlement and hearing, the case will be resolved without your further participation. Resolution of the case may include suspension or revocation of your license to practice as a psychologist in the State of Washington. You may submit a written statement for consideration by the Board, so long as that statement is received by the Adjudicative Clerk Office within twenty (20) days of the date this notice was mailed to you or within the time limit established by a hardship extension.

If you request an adjudicative proceeding, you will have an opportunity to settle the matter prior to a hearing. In seeking a settlement, you may submit a written statement and any supporting materials for consideration. A written settlement offer may be included with the Statement of Charges or may be sent to you at a later date. If a settlement cannot be achieved through written documents, a settlement conference will be held. If a settlement cannot be reached, then the matter will proceed to a hearing.

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Notice of the date, time, and location of the hearing will be sent to you at least seven (7) days in advance. At the hearing, you may appear personally and may be represented by counsel at your own expense. The hearing will be scheduled and conducted according to the requirements of the Administrative Procedures Act, chapter 34.05 RCW, and the procedural rules of chapter 246-11 WAC.

If you request an adjudicative proceeding but fail to appear or participate in a hearing or other stage of the adjudicative proceeding, you may be held in default pursuant to RCW 34.05.440 and WAC 246-11-280.

Pursuant to RCW 34.05.434, the names, addresses, and telephone numbers of the presiding officer, the parties to whom notice is given, and their representatives are attached and incorporated herein by reference. Pursuant to WAC 246-01-100, Respondent must notify, in writing, the Board and the Adjudicative Clerk Office if Respondent's name and/or address changes.

DATED: _____.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
EXAMINING BOARD OF PSYCHOLOGY

JANICE K. BODEN
Program Manager

Pursuant to RCW 34.05.434, the following parties, representatives, and officers have been given notice of this proceeding.

Adjudicative Clerk Office:

Adjudicative Clerk Office
1107 Eastside Street
PO Box 47879
Olympia, WA 98504-7879
Telephone: (360) 236-4677

Presiding Officer:

Office of Professional Standards
Department of Health
1107 Eastside Street
PO Box 47879
Olympia, WA 98504-7879
Telephone: (360) 236-4677

Psychologist Program

Janice Boden, Program Manager
Department of Health
1300 SE Quince
P.O. Box 47869
Olympia, WA 98504-7869

Respondent:

Arthur W. Peskind, Ph.D.
3609 South 19th Street
Tacoma, WA 98405

Attorney for the Examining Board of Psychology

Kim O'Neal
Assistant Attorney General
P.O. Box 40110
Olympia, WA 98504-0110

Attorney for Respondent:

Raegen N. Rasnic, Attorney
Skellenger Bender
1301 Fifth Ave., Ste 3401
Seattle, WA 98101-2605

**Representative of the Examining Board of Psychology
for purposes of settlement negotiations:**

Margaret J. Gilbert, Staff Attorney
Department of Health
1300 SE Quince Street
P.O. Box 47869
Olympia, WA 98504-7869
(360) 236-4913

FOR INTERNAL USE ONLY. INTERNAL TRACKING NUMBERS:

PROGRAM NO. 99-02-0005PY

**STATE OF WASHINGTON
DEPARTMENT OF HEALTH
EXAMINING BOARD OF PSYCHOLOGY**

In the Matter of the License to Practice
Psychology of:

ARTHUR W. PESKIND, Ph.D.,
License No. PY00000726

Respondent.

)
) **Docket No. 00-08-A-1039PY**
)
) **ANSWER TO STATEMENT OF**
) **CHARGES AND REQUEST FOR**
) **SETTLEMENT AND HEARING**

TO: **Arthur W. Peskind, Ph.D.**
3609 South 19th St.
Tacoma, WA 98405

Correct Name: _____

Correct Address: _____

Correct Phone: _____

(253) 752-6056

INSTRUCTIONS: This form may be used to answer the Statement of Charges and Request Settlement and Hearing. Correct your name, address, and phone number above, if necessary, and enter your answers below and sign and date this form. Return it to:

Adjudicative Clerk Office
1107 Eastside Street
PO Box 47879
Olympia, WA 98504-7879

**THIS FORM MUST BE RECEIVED BY ADJUDICATIVE CLERK OFFICE
WITHIN TWENTY (20) DAYS FROM THE DATE THIS NOTICE WAS MAILED TO
YOU. If the twenty (20) day limit results in a hardship upon you, you may request in
writing an extension for good cause not to exceed sixty (60) additional days. A request
for extension must be received by the Adjudicative Clerk Office within twenty (20) days
from the date this notice was mailed to you. The Program Manager of the Examining**

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Board of Psychology, on designation by the Board, will grant an extension for good cause. Failure to file an answer within the twenty (20) day time limit or within the time limit established by a hardship extension constitutes a default. Pursuant to RCW 34.05.440 and WAC 246-11-280, a default will result in the loss of your right to an adjudicative proceeding, including a hearing, and resolution of the case without your participation. A default may result in the revocation of your license.

Section 1: REQUEST FOR ADJUDICATIVE PROCEEDING

INSTRUCTIONS: Mark one (1) of the following:

- ☐ I waive my opportunity for settlement and hearing. I am enclosing my written statement and/or any materials I wish to have the Board, consider in disposition of the case.
- ☐ I request an opportunity for settlement and a hearing if settlement is not reached. I understand that a scheduling order will be issued and that I (or my attorney) will be required to participate in all stages of the adjudicative proceeding in accordance with chapter 246-11 WAC.

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Section 2: REPRESENTATION

INSTRUCTIONS: Mark the appropriate response and provide correct information:

☐ I will be represented by an attorney who must file a notice of appearance.

His/her name, address, and phone number are:

Name:

Address:

Phone:

☐ I will not be represented by an attorney.

Section 3: RESPONSE TO ALLEGATIONS

INSTRUCTIONS: Indicate below whether you admit, deny, or do not contest each of the alleged facts and alleged violations contained in the numbered paragraphs in the Statement of Charges. Check one (1) response for each numbered paragraph.

//

//

Paragraph Number	Admit	Deny	Do Not Contest
1.1			
1.2			
1.3			
1.4			
1.5			
2.1			
2.2			
2.3			

INSTRUCTIONS: Mark the appropriate response:

- ☐ I have attached a sworn statement in my defense or in mitigation of charges.
- ☐ I have not attached a sworn statement.

Section 4: INTERPRETER REQUEST

INSTRUCTIONS: Complete the appropriate information if you request an interpreter because of a primary language other than English and/or because of a hearing or speech impairment. If you later determine that an interpreter will be necessary, you must notify the parties listed in the Notice of Opportunity for Settlement and Hearing. Costs for an interpreter will be paid pursuant to WAC 246-11-200.

☐ I request that a qualified interpreter be appointed to interpret for me or for my witness(es). My (or my witness(es)) primary language is

_____.

☐ I request that a qualified interpreter be appointed to interpret for me or for my witness(es). My (or my witness(es)) hearing or speech impairment requires an interpreter able to communicate in the following language:

_____.

Section 5: PROCEDURAL RIGHTS

Pursuant to chapter 34.05 RCW, you have the right to demand a hearing, to be represented by an attorney at your own expense, to subpoena witnesses or the production of books or documents, and to otherwise defend against the allegations in the Statement of Charges. The Board has adopted procedural rules for the exercise of these rights and for the conduct of any adjudicative proceeding you request. The rules are contained in chapter 246-11 WAC.

DATED: _____.

ARTHUR W. PESKIND, Ph.D.
Respondent

FOR INTERNAL USE ONLY. INTERNAL TRACKING NUMBERS:

PROGRAM NO. 99-02-0005PY

Redaction Summary (352 redactions)

7 Privilege / Exemption reasons used:

- 1 -- "Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's agent that reveal factual or investigative information prepared, collected, or assembled in litigation or in anticipation of litigation." (13 instances)
- 2 -- "Attorney-Client Privileged - RCW 5.60.060(2)(a), RCW 42.56.070(1) - Communications between attorney and client or between clients for the purpose of gathering information or providing or obtaining legal advice." (5 instances)
- 3 -- "Consulting expert case review -Facts known and/or opinions held by a non-testifying expert acquired or developed in anticipation of litigation RCW 42.56.290; 42.56.070 (1), CR 26(b)(5)(B)" (15 instances)
- 4 -- "DOH Licensee Social Security Number - RCW 42.56.350(1)" (1 instance)
- 5 -- "Investigative Records Compiled by agency investigative and law enforcement unit; and non-disclosure is essential to effective law enforcement or for a person's privacy. - RCW 42.56.240(1)" (3 instances)
- 6 -- "Mental health information, Adults - Information and records compiled, obtained, or maintained in the course of providing mental health services to voluntary or involuntary recipients of services at public or private mental health service agencies. RCW 70.02.230 (1), RCW 42.56.070(1)" (181 instances)
- 7 -- "Name - Whistleblower Regarding Health Care Provider or Health Care Facility - RCW 43.70.075(1), RCW 42.56.070(1)" (134 instances)

Redacted pages:

[illegible]

agencies. RCW 70.02.230 (1), RCW 42.56.070(1), 2 instances

Page 73, Mental health information, Adults - Information and records compiled, obtained, or maintained in the course of providing mental health services to voluntary or involuntary recipients of services at public or private mental health service agencies. RCW 70.02.230 (1), RCW 42.56.070(1), 1 instance

Page 79, Mental health information, Adults - Information and records compiled, obtained, or maintained in the course of providing mental health services to voluntary or involuntary recipients of services at public or private mental health service agencies. RCW 70.02.230 (1), RCW 42.56.070(1), 1 instance

Page 95, Mental health information, Adults - Information and records compiled, obtained, or maintained in the course of providing mental health services to voluntary or involuntary recipients of services at public or private mental health service agencies. RCW 70.02.230 (1), RCW 42.56.070(1), 1 instance

Page 96, Mental health information, Adults - Information and records compiled, obtained, or maintained in the course of providing mental health services to voluntary or involuntary recipients of services at public or private mental health service agencies. RCW 70.02.230 (1), RCW 42.56.070(1), 1 instance

Page 103, Name - Whistleblower Regarding Health Care Provider or Health Care Facility - RCW 43.70.075(1), RCW 42.56.070(1), 1 instance

Page 104, Mental health information, Adults - Information and records compiled, obtained, or maintained in the course of providing mental health services to voluntary or involuntary recipients of services at public or private mental health service agencies. RCW 70.02.230 (1), RCW 42.56.070(1), 1 instance

Page 121, Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's agent that reveal factual or investigative information prepared, collected, or assembled in litigation or in anticipation of litigation., 1 instance

Page 121, Attorney-Client Privileged - RCW 5.60.060(2)(a), RCW 42.56.070(1) - Communications between attorney and client or between clients for the purpose of gathering information or providing or obtaining legal advice., 2 instances

Page 122, Attorney-Client Privileged - RCW 5.60.060(2)(a), RCW 42.56.070(1) - Communications between attorney and client or between clients for the purpose of gathering information or providing or obtaining legal advice., 1 instance

Page 123, Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's agent that reveal factual or investigative information prepared, collected, or assembled in litigation or in anticipation of litigation., 1 instance

Page 123, Attorney-Client Privileged - RCW 5.60.060(2)(a), RCW 42.56.070(1) - Communications between attorney and client or between clients for the purpose of gathering information or providing or obtaining legal advice., 1 instance

Page 125, Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's agent that reveal factual or investigative information prepared, collected, or assembled in litigation or in anticipation of litigation., 1 instance

Page 126, Name - Whistleblower Regarding Health Care Provider or Health Care Facility - RCW 43.70.075(1), RCW 42.56.070(1), 4 instances

Page 129, Name - Whistleblower Regarding Health Care Provider or Health Care Facility - RCW 43.70.075(1), RCW 42.56.070(1), 1 instance

Page 139, Investigative Records Compiled by agency investigative and law enforcement unit; and non-disclosure is essential to effective law enforcement or for a person's privacy. - RCW 42.56.240(1), 1 instance

Page 162, DOH Licensee Social Security Number - RCW 42.56.350(1), 1 instance

Page 163, Mental health information, Adults - Information and records compiled, obtained, or maintained in the course of providing mental health services to voluntary or involuntary recipients of services at public or private mental health service agencies. RCW 70.02.230 (1), RCW 42.56.070(1), 5 instances

Page 163, Name - Whistleblower Regarding Health Care Provider or Health Care Facility - RCW 43.70.075(1), RCW 42.56.070(1), 8 instances

Page 165, Name - Whistleblower Regarding Health Care Provider or Health Care Facility - RCW 43.70.075(1), RCW 42.56.070(1), 2 instances

Page 166, Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's agent that reveal factual or investigative information prepared, collected, or assembled in litigation or in anticipation of litigation., 1 instance

Page 167, Consulting expert case review -Facts known and/or opinions held by a non-testifying expert acquired or developed in anticipation of litigation RCW 42.56.290; 42.56.070 (1), CR 26(b)(5)(B), 3 instances

Page 169, Consulting expert case review -Facts known and/or opinions held by a non-testifying expert acquired or developed in anticipation of litigation RCW 42.56.290; 42.56.070 (1), CR 26(b)(5)(B), 2 instances

Page 170, Consulting expert case review -Facts known and/or opinions held by a non-testifying expert acquired or developed in anticipation of litigation RCW 42.56.290; 42.56.070 (1), CR 26(b)(5)(B), 1 instance

Page 171, Consulting expert case review -Facts known and/or opinions held by a non-testifying expert acquired or developed in anticipation of litigation RCW 42.56.290; 42.56.070 (1), CR 26(b)(5)(B), 4 instances

Page 172, Consulting expert case review -Facts known and/or opinions held by a non-testifying expert acquired or developed in anticipation of litigation RCW 42.56.290; 42.56.070 (1), CR 26(b)(5)(B), 2 instances

Page 177, Consulting expert case review -Facts known and/or opinions held by a non-testifying expert acquired or developed in anticipation of litigation RCW 42.56.290; 42.56.070 (1), CR 26(b)(5)(B), 2 instances

Page 178, Consulting expert case review -Facts known and/or opinions held by a non-testifying expert acquired or developed

in anticipation of litigation RCW 42.56.290; 42.56.070 (1), CR 26(b)(5)(B), 1 instance
Page 180, Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's agent that reveal factual or investigative information prepared, collected, or assembled in litigation or in anticipation of litigation., 1 instance
Page 200, Attorney-Client Privileged - RCW 5.60.060(2)(a), RCW 42.56.070(1) - Communications between attorney and client or between clients for the purpose of gathering information or providing or obtaining legal advice., 1 instance
Page 201, Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's agent that reveal factual or investigative information prepared, collected, or assembled in litigation or in anticipation of litigation., 1 instance
Page 202, Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's agent that reveal factual or investigative information prepared, collected, or assembled in litigation or in anticipation of litigation., 1 instance
Page 203, Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's agent that reveal factual or investigative information prepared, collected, or assembled in litigation or in anticipation of litigation., 1 instance
Page 223, Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's agent that reveal factual or investigative information prepared, collected, or assembled in litigation or in anticipation of litigation., 1 instance
Page 224, Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's agent that reveal factual or investigative information prepared, collected, or assembled in litigation or in anticipation of litigation., 1 instance
Page 225, Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's agent that reveal factual or investigative information prepared, collected, or assembled in litigation or in anticipation of litigation., 1 instance
Page 227, Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's agent that reveal factual or investigative information prepared, collected, or assembled in litigation or in anticipation of litigation., 1 instance
Page 232, Investigative Records Compiled by agency investigative and law enforcement unit; and non-disclosure is essential to effective law enforcement or for a person's privacy. - RCW 42.56.240(1), 1 instance
Page 233, Attorney Work Product - RCW 42.56.290 - Drafts, notes, memoranda, statements, records or research reflecting the opinions or mental impressions of an attorney or attorney's agent that reveal factual or investigative information prepared, collected, or assembled in litigation or in anticipation of litigation., 1 instance
Page 237, Investigative Records Compiled by agency investigative and law enforcement unit; and non-disclosure is essential to effective law enforcement or for a person's privacy. - RCW 42.56.240(1), 1 instance